

THE ACT
TO
ORGANIZE AND DISCIPLINE
THE
MILITIA AND VOLUNTEERS OF OHIO,
IN THE STATE SERVICE,
WITH
CERTAIN GENERAL ORDERS
AND
FORMS AND INSTRUCTIONS FOR REPORTS AND RETURNS.

PUBLISHED BY AUTHORITY.

With the Respects of the Adjutant General
of Ohio.

COLUMBUS:
RICHARD NEVINS, STATE PRINTER.
1863.

THE ACT

TO

ORGANIZE AND DISCIPLINE

THE

MILITIA AND VOLUNTEERS OF OHIO,

IN THE STATE SERVICE,

WITH

CERTAIN GENERAL ORDERS

AND

FORMS AND INSTRUCTIONS FOR REPORTS AND RETURNS.

PUBLISHED BY AUTHORITY.

COLUMBUS:
RICHARD NEVINS, STATE PRINTER.
1863.

GENERAL HEADQUARTERS, STATE OF OHIO,
ADJUTANT-GENERAL'S OFFICE,
COLUMBUS, OHIO, April 16, 1863.

GENERAL ORDERS, No. 8.

The following officers were appointed by me, on the fourteenth instant, to constitute the staff of the commander-in-chief of the military forces of Ohio, under the "act to organize and discipline the militia of Ohio," passed April 14th, 1863, and are now announced, viz.:

Brigadier-General CHARLES W. HILL, Adjutant-General and *ex officio* Inspector-General.

Brigadier-General GEORGE B. WRIGHT, Quartermaster-General and *ex officio* Commissary-General.

Surgeon SAMUEL M. SMITH, Surgeon-General (such appointment being necessary for the public service).

Colonel GARRETSON I. YOUNG, Aid-de-Camp, *ex officio* Judge-Advocate-General and Engineer-in-Chief.

Lieutenant-Colonel ROBERT HUME, Assistant Adjutant-General.

They will be respected and obeyed accordingly.

DAVID TOD,
Governor and Commander-in-Chief.

AN ACT

TO ORGANIZE THE MILITIA OF OHIO.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio,* That all white male citizens, residents of this state, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia, and perform military duty in such manner, not incompatible with the constitution and laws of the United States, as hereinafter prescribed.

White males between 18 and 45 to perform military duty.

SEC. 2. That the auditor of this state shall issue his order to the county auditors of the several counties, requiring them to instruct the assessors of the several townships to perform all the duties required of them by this act.

Auditor of state.

SEC. 3. That it shall be the duty of township assessors of the several townships, and the assessors of the several wards of the several cities, to prepare a list of all white male citizens, residents of this state, being eighteen years of age, and under the age of forty-five years, without any exceptions, in their respective wards, townships, or districts. Township, ward, or district assessors aforesaid, shall annually, at the time of assessing taxable property, make out two rolls or lists of all names or persons enrolled as aforesaid, and place one in the clerk's office of their respective township, ward or district, and the other in the auditor's office of the proper county; and it shall be the duty of such auditor annually, on or before the first day of June, to return an accurate copy of such records of enrollment to the adjutant-general of the state, to be by him filed in his office, and an abstract of the aggregate number of persons so returned shall be forwarded by the adjutant-general of the state to the war department at Washington city, on or before the first day of January of each year. And if any assessor shall neglect, or from any cause omit to perform his duties, the other assessors, or either of them, of the city, town, ward or county, shall perform such duties, by order of the county auditor or commandant of regiments. All tavern-keepers, keepers of boarding-houses, persons having boarders in their families, and every master or mistress of any dwelling house shall, upon the application of any assessor, give information of the names of all persons residing or lodging in such house liable to be enrolled, and all other information concerning such persons as such assessors may demand. If any person of

Township and ward assessors to enroll the militia, and make and return two rolls annually.

County auditor annually on or before the 1st of June to return true copy of enrollment to adjutant-general, who will report to war department on 1st of Jan. Who shall give information.

Fined for refusal, or false information.

Sheriff to collect fines.
See sec. 38.

Military fund.

Pay of assessors.

Commandant of company to enroll men.

City or township clerk to receive list and give notice.

Before organization trustees to hear claims for exemption.

After organization commandants to hear claims for exemption.

whom information is required by any assessor in order to enable him to comply with the provisions of this act, shall refuse to give such information, or shall give false information, he, she or they shall forfeit and pay not more than ten nor less than three dollars for each offense. Any person who shall refuse to give his own name and proper information when applied to by any assessor, or shall give a false name or information, shall forfeit and pay a like sum; and it is hereby made the duty of the assessors to report the names of all persons who shall incur any penalty prescribed in this section, to the sheriff of the county in which they reside, who shall, if the same were properly returned, proceed to collect of each and every person therein included so much of the above penalties as in his judgment may be proper and right: *Provided*, That no fine shall be assessed for a less sum than three dollars. All moneys collected under the provisions of this act shall be paid to the county treasurer, and go to the military fund of said county. The assessors shall be compensated for their services in making the enrollment required by this act at the same rate and in like manner as they are compensated for making the annual assessments of property. And it is hereby made the duty of the commandant of each company within the bounds of whose company any person liable to perform military duty may come to reside, within ten days next after he shall be informed of such residence, to enroll such person or persons; also, all persons who may from time to time arrive at the age of eighteen; and it is hereby made the duty of the commandant of the several wards, townships or districts of this state to cause all such persons, and all other persons whose names should not be enrolled and who are liable to perform military duty, to perform the same military duty as shall be performed by those enrolled at the proper time.

SEC. 4. And said clerk, within ten days after receiving said list of enrollment, as provided in the preceding section, shall give written notice thereof by posting the same in five public places within said township, ward or election district, which said notice shall also state that the township trustees will hear and determine claims for exemption from military duty, within twenty days next ensuing. Any person thus enrolled claiming exemption as aforesaid, by any of the laws of congress or of this state, or who claims that he is exempt from said duty on account of bodily infirmity or disability, shall, before he is excused from said military duty, produce to the trustees of the township the certificate of a surgeon of acknowledged skill, stating clearly that such person is physically unable to perform military duty, and shall produce such other evidence in the case as the trustees may require: *Provided*, That such evidence shall be produced to the satisfaction of said trustees within twenty days after the posting up of said written notice. And when any person thus enrolled shall produce to said trustees satisfactory evidence, together with his own affidavit, that he is entitled to exemption from the performance of military duty, then such trustees shall give to every such person a certificate of exemption, which shall be valid so long as his disability shall continue, and no longer. Persons so exempted, and persons while in the military service of the general government, idiots, insane persons, paupers and persons convicted of infamous crimes, shall not be taken into consideration when organizing the foregoing enrolled men into companies and regiments. All applications for exemption from the performance of military duty, made after the militia of this state shall have been organized, shall be made to the commandants of the several regiments or battalions, in the same manner that applications

were made to the trustees of the several townships, wards and districts, in the organization of the militia, and said commandants shall hear and determine all such applications as provided, in this section, and when necessary issue certificates of exemption in pursuance of the same: *Provided*, That all certificates of exemption granted by the trustees aforesaid shall, after said enrolled men are organized into regiments, battalions and companies, be submitted to the commandant of the proper regimental district for approval, and if not approved by said commandant, said certificate of exemption so granted shall be void.

Certificates of trustees void when.

SEC. 5. The trustees of the several townships, wards and districts shall, immediately after receiving the enrollments, as provided in section three, and after completing the examination of such persons claiming exemption from military duty, divide said townships, wards or districts into company districts, in such manner as to give to each district not less than sixty nor more than one hundred and twenty persons subject to military duty; and they shall give to each of said districts a number, by which it may be known; they shall also fix upon a place, within each company district, where an election shall be held to fill the offices of said company; and notice of their action herein shall be given by said trustees by publication in some newspaper, if one be printed in the district, and if not, then by a written notice conspicuously posted up in at least five places in each of said company districts: *Provided*, That should there be less than sixty persons liable to military duty in any of the townships, wards or districts of this state, the trustees thereof may attach said persons to any adjoining township or ward of the same county, for military duty.

Trustees to form company districts of 60 to 120 men for duty; numbers.

Company elections.

Under 60 may be attached.

SEC. 6. The persons liable to perform military duty by the provisions of this act, shall meet together at the place designated by the notice required by the fifth section of this act, on the first Saturday of July next, at the hour of one o'clock P. M., and when so met shall elect, viva voce, three of their number to act as judges of said election, and two of their number to act as clerks; and when thus organized they shall proceed to elect, by ballot, one captain, one first lieutenant, and one second lieutenant of said company; that said clerks shall keep a record of the names of all persons who shall vote at said election; that the polls shall close at the hour of five P. M. of said day, when the judges shall count the votes thus cast, and declare, in an audible voice, the persons thus elected for company officers: *Provided*, That if two or more persons shall receive the highest and an equal number of votes for the same office, said judges shall determine by lot which of said persons receiving an equal number of votes is elected; and said judges and clerks shall forthwith make return of said poll-book and election to the sheriff of their county, who shall, without delay, forward to the adjutant-general by mail a copy thereof.

First election to be held July 4th.

In case of tie.

Returns to sheriff and adjutant-general.

Oath of judges and clerks.

SEC. 7. All persons serving as judges and clerks of any election of military officers in this state shall, before entering upon their duties, take an oath or affirmation to honestly and faithfully discharge their respective duties as such before any officer who is authorized to administer oaths, and any commissioned officer of the militia of this state may administer such oath or affirmation.

SEC. 8. The sheriffs of the several counties of this state, shall, on or before the tenth day of July next, organize the several companies within their respective counties into regiments of not less than eight, nor more than ten companies each, and forthwith report each company, its location, and number of companies in each regiment, or battalion,

Sheriffs on or before 10th July to organize regiments or battalions,

and report to adjutant-general.

Sheriffs to order elections for field officers.

Grade of officers.

Notice of election, how given.

Returns to sheriff, and by him to adjutant-general.

Fifteen days allowed to contest election.

Other officer or person may be detailed to do duty of sheriff, trustees or assessors.

Staff officers.

Non-commissioned officers and musicians.

Governor may form new regiments or consolidate old ones.

Officers of regiments may do the same as to companies.

Volunteer organizations to be organized by the governor.

and the strength of each, to the adjutant-general, who shall record the same, and affix a designation by letter, to each company, and by number, to each regiment or battalion, and immediately transmit to the proper sheriff a schedule of the designations so fixed: *Provided*, That if in any county of this state there shall be a less number than eight companies, then said companies shall be organized into battalions. Immediately after receiving a schedule fixing such designation, the sheriff shall designate a time and place for each of said regiments or battalions to meet and hold an election for one colonel, one lieutenant-colonel, and one major: *Provided*, That in counties or districts having less than eight companies, no officer shall be elected of a higher grade than lieutenant-colonel: *Provided, also*, That in counties having less than four companies, there shall be no officer elected of a higher grade than a major; and give notice thereof by publication in some newspaper for not less than two weeks, if one be published in said county, and if not, then by written notice conspicuously posted in each company district of the county; and the members of said regiment or battalion, when so met, shall proceed to elect said officers, and make a return thereof to the sheriff; being governed in all things, as to the mode and manner of elections, by the provisions of this act. The sheriff shall forthwith transmit to the adjutant-general [two] copies of said election returns, and thereupon the governor shall issue commissions to the persons elected, if, within fifteen days after the receipt of said poll books, he shall not receive notice of a contest for any of the positions so returned by the sheriff.

SEC. 9. That if any of the assessors or trustees of the several townships of this state, or any of the sheriffs, shall refuse or neglect to perform any of the duties required of them by this act, the governor may order the adjutant-general, or such other person or persons as he may deem proper, to perform all or any of the duties so neglected to be performed by said assessors, trustees, or sheriffs.

SEC. 10. To each regiment and battalion there shall be one adjutant and one quartermaster, who shall be appointed by the commandant thereof.

SEC. 11. To every regiment, battalion, and company organized under the provisions of this act, there shall be the same non-commissioned officers and musicians as in the armies of the United States, who shall be appointed by the commandants thereof.

SEC. 12. New regiments or battalions may be organized, or old regiments and battalions consolidated, in the several counties of the state, whenever in the opinion of the commander-in-chief the good of the service will be promoted thereby, and all elections for officers made necessary by any such action of the commander-in-chief, shall be conducted in conformity with the provisions of this act.

SEC. 13. New companies may be organized, or old companies consolidated, in any of the regimental districts of this state, upon the vote of a majority of the commissioned officers in any regimental district so to be affected, that the good of the service demands such change in their organization, and all elections made necessary by such change shall be had in accordance with the provisions of this act.

SEC. 14. The commander-in-chief may authorize the formation of such number of volunteer companies of infantry, artillery, and cavalry, as the good of the service may indicate, and of the strength, respectively, prescribed for volunteers in the service of the United States, and order elections therein, which shall be conducted in accordance with the pro-

visions of this act; and the commander-in-chief may prescribe for every such volunteer company or battery such rules and regulations as in his judgment will increase the discipline and efficiency of the same. And in the artillery arm, volunteer batteries may be organized, if the commander-in-chief shall deem proper, as follows: For a battery of two guns, one first and one second lieutenant, three sergeants, four corporals, one musician, one artificer, and not less than thirty-eight nor more than forty-one privates. For a battery of four guns, one captain, one first and one second lieutenant, six sergeants, eight corporals, two musicians, two artificers, one wagoner, and not less than seventy-six nor more than eighty-one privates. For a full company, or battery of six guns, one captain, one senior first lieutenant, one junior first lieutenant, one senior second lieutenant, one junior second lieutenant, eight sergeants, twelve corporals, two musicians, two artificers, one wagoner, and not less than one hundred and fourteen nor more than one hundred and twenty-two privates.

SEC. 15. And two or more batteries may be consolidated by order of the commander-in-chief, at his discretion, so as to form a four gun or a six gun battery, with the strength and upon the basis herein prescribed. He may also consolidate any detachments of the same arm, whether of infantry, cavalry, or artillery, that may fail to enlist a sufficient number of acceptable volunteers within the time limited, or which may after organization become and remain for thirty days reduced below the minimum standard; or he may disband them, and order the officers to be mustered out, as he shall deem proper. And in all cases of consolidation, commissioned officers for the consolidated organization shall be elected by its members, as in other cases, and all officers belonging to such original detachment, and not so elected by the consolidated organization, and all surplus men, shall be mustered out, on his order, as supernumerary.

SEC. 16. All officers of volunteers mustered out upon consolidation or disbanding of organizations or detachments, or resigning their commissions, or dismissed, or discharged, and all non-commissioned officers, musicians, artificers, wagoners, and privates of volunteer organizations, or detachments, who may be disbanded, dismissed, or discharged, except such as may be by virtue of their five years service, as in this act provided, or for any other lawful cause exempt from military duty, shall be forthwith enrolled with the militia.

SEC. 17. The several companies of cavalry and infantry and the batteries of artillery shall be numbered separately in each arm, by the adjutant-general. A record of such numbering shall be made and kept in the office of the adjutant-general. And where they exist in sufficient numbers, and are conveniently located for the purpose, the cavalry shall be organized by the commander-in-chief into squadrons, battalions, or regiments, and the infantry into battalions or regiments, and officered as provided by law; and in the same arm, the company or battery earliest commissioned shall be first or senior in rank, and the company or battalion next earliest commissioned, second in rank, and so on in order of date to the companies or batteries latest commissioned, dating from the first commissions to the officers of the company or battery.

SEC. 18. Each volunteer company and battery, organized under the provisions of this act, may adopt such a constitution and by-laws as a majority of all the members of such company or battery may approve; which shall be binding on all the members of said company or battery; and when any fines are assessed by reason of any infraction of such consti-

He may prescribe rules and regulations.

Two gun batteries.

Four gun batteries.

Six gun batteries.

Volunteers may be consolidated or mustered out.

Election after consolidation.

Volunteers, when to be enrolled in the militia.

How volunteer companies designated by adjutant-general. Further organizations.

Rank of companies and batteries.

Companies and batteries may adopt and enforce by-laws.

tution and by-laws, such company or battery may have process before any court of competent jurisdiction, in the name of the state, for the use of such company or battery, and prosecute to final judgment and execution, all such fines and penalties provided for by such constitution or by-laws: *Provided*, That said constitution and by-laws are not inconsistent with this act, or the constitution of the United States, and of this state: *Provided, also*, That in no case shall the state pay any costs of such prosecution.

Commandants
of volunteers
to make re-
turns to adj-
utant-general,
when.

SEC. 19. Every commandant of any volunteer company, battery, squadron, regiment, or battalion, shall make a return of all commissioned and non-commissioned officers, musicians, and privates, under his command, and all arms and accoutrements belonging thereto, to the adjutant-general, on or before the first day of November in each year, and all such returns shall be preserved by the adjutant-general in a book of records in his office.

Returns of
companies,
battalions,
and regiments
of militia, to
whom and
when.

SEC. 20. That every commandant of any company of the militia shall make a return of all non-commissioned officers, musicians, and privates, under his command, belonging to his company, and all the arms and accoutrements belonging thereto, to the commandant of his regiment or battalion, on or before the first day of October in each year; and the commandant of each regiment or battalion of the militia, shall make a return to the adjutant-general on or before the first day of November in each year, and all such returns shall be preserved by the adjutant-general, in a book of records kept in his office.

Volunteers
serve five
years; then
exempt.

SEC. 21. Every commissioned and non-commissioned officer and soldier of any volunteer company or battery, shall be held to duty therein for five years, unless some absolute disability shall occur after forming such company or battery, or he shall be discharged by the proper officer; and every person as aforesaid, after the expiration of said term, shall be entitled to a certificate of such service, and said certificate shall be given to all such persons by the adjutant-general; and the holders of said certificates shall be exempt from military duty in time of peace.

Certificate of
adjutant-gen-
eral.

Resignations
of volunteer
officers, to
whom.
Elections.

SEC. 22. Resignations of commanding officers of regiments and battalions, and of commissioned officers of volunteer organizations, shall be made to the adjutant-general for acceptance by the governor, and the governor shall fix upon a time and place for an election to fill the vacancy as well as vacancies by death or otherwise: *Provided*, That the governor may authorize commandants of regiments or battalions, in whose district there shall be located any volunteer company or companies, to order elections to fill vacancies that may occur in said companies. Resignations of all other officers shall be made to the commandants of regiments or battalions, who shall order elections thereupon to fill vacancies, and also vacancies occasioned from other causes; and all elections for filling said vacancies, shall be in accordance with this act.

Militia resig-
nations.
Elections.

Official oath.

SEC. 23. Every officer commissioned by virtue of this act shall, within ten days after receiving his commission, take an oath to support the constitution of the United States, and of the state of Ohio, and also an oath of office, which shall be indorsed on the back of the commission by the person administering it; and if any person receiving a commission shall fail to take the oath aforesaid, within the time herein provided, and give notice thereof within twenty days thereafter to the officer whose duty it is, in case of a vacancy to order an election, and forward the date of his commission to the adjutant of the regiment, squadron, or battalion to which he belongs, or to the governor, as the

Office vacant
if oath not
taken.

case may be, he shall be considered as refusing to accept such office, and the same shall be filled as in other cases.

SEC. 24. If any candidate or elector chooses to contest the validity of any election had under the provisions of this act, as to the right of any person proclaimed duly elected an officer, he shall give notice thereof in writing, to the sheriff holding the election returns, within ten days from the time of holding such election, and within said time, and in like manner, he shall notify the person whose election he means to contest, expressing the point or points on which he means to rely; and said sheriff shall summon the parties to appear at a certain time and place, which shall not exceed twenty days from the election, and not less than two days before the day of trial, shall issue a subpoena, when applied for by either party, to procure the attendance of witnesses; and the party so applying, shall serve the same, and endorse the time of service thereon, and shall make return thereof to said sheriff, at the time and place therein mentioned; and each witness thus subpoenaed shall be paid fifty cents for each day's attendance, on the certificate of said sheriff, and said sheriff shall hear and determine the same, including costs thereon, which shall be taxed against the party failing, which decision shall be final and conclusive.

SEC. 25. That every officer elected under the provisions of this act, shall, after the expiration of fifteen days, if no notice of contest be given, as provided for in the preceding section, be entitled to a certificate from the officer ordering such election, and to a commission from the governor.

SEC. 26. That if the members of any company shall neglect or refuse to elect their company officers after proper notice, or shall elect those who refuse to serve, and such company remain without commissioned officers for the space of one month, it shall be the duty of the commandant of the regiment, squadron, or battalion to which it belongs, to order the members of such company to be attached to the adjoining company or companies within the same regiment, squadron, or battalion, and report his action to the adjutant-general; and the commandant of such company or companies to which they are attached, shall enroll them, and notify them to perform duty in the company to which they are attached; which notice shall be given by setting up written notices in three of the most public places in the bounds of the company attached; and the members of said company so attached shall be bound to perform duty in the company to which they are attached, from and after the date of said notice, as they would have been had they originally belonged to it.

SEC. 27. That if by reason of such transfer, or other cause, any company becomes too numerous, and there are sufficient numbers to form a new company, the colonel or commandant of the regiment to which the same belongs, may detach as many as are necessary, from adjoining companies, without reducing such companies below the minimum number, and organize them into a new company, and order an election of company officers, which election shall be conducted as hereinbefore provided in elections for company officers, which proceedings he shall promptly report to the adjutant-general.

SEC. 28. There shall be a muster of the militia of this state on the last Saturday of September in each year, in which they shall meet by companies within their respective bounds; and each volunteer company and battery shall, besides such muster, have two or more additional

Contested election proceedings.

Duties of sheriffs.

After fifteen days officer to be commissioned.

If companies neglect or refuse to elect, or officers to serve, company to be attached and case reported to adjutant-general.

When new companies may be set off.

Election.

All companies muster last Saturday of September.

Volunteer companies have two or more additional musters.

Squadron, battalion and regimental musters, when.

Rank of companies.

Hour of muster.

Roll calls.

Fine at company muster \$1 50.

Company officers assess fines within ten days.

How collected.

Fine of officers per day.

Fine of men at regimental or battalion muster \$1.

Report of.

Who may avoid muster and fines by paying to county treasurer \$2 by 10th of September.

Volunteer companies have \$200 from military fund. Batteries \$100 for every two guns. Conditions.

musters in each year; the commanders of companies of militia in all cases to fix the place of holding company musters, and the commandants of volunteer companies and batteries to fix both the time and the place, but the place shall be within the bounds of the company or battery. There shall also in each year be one squadron, battalion or regimental muster of each squadron, regiment, or battalion, on the next Tuesday following the said last Saturday in September, and such regiments, battalions, squadrons and companies shall perform military evolutions, agreeably to the practice, rules and regulations of the armies of the United States, from 10 o'clock A. M. until 4 o'clock P. M. of said days, each company taking position in line according to the date of the commission of the commandant thereof, in all regimental, battalion, or squadron duty.

SEC. 29. That at all musters, whether company, regimental, or battalion, the officers and privates shall appear on their respective muster grounds on the day appointed or fixed by law, at 10 o'clock A. M., and the rolls of the companies shall be called as soon thereafter as may be, and again immediately before dismissal, and the absence of all persons belonging to each company noted.

SEC. 30. Every non-commissioned officer, musician, or private, who shall refuse or neglect to appear on any day of any company muster required by this act, shall, for every such refusal or neglect, pay the sum of one dollar and fifty cents.

SEC. 31. It shall be the duty of the commandant of each company to call a meeting of the commissioned officers thereof within ten days after each day's company muster required by this act, to make out a list of delinquents, and assess fines thereon, particularly noting therein the fines assessed, a copy of which list shall forthwith be returned to a justice of the peace of the proper township; such justice, on receiving said list, shall issue summons thereon forthwith, and proceed to trial and judgment, as in other civil cases.

SEC. 32. Every commissioned officer who shall refuse to appear fully armed and equipped on any day of muster required by this act, shall, for every such refusal or neglect, pay the sum of not less than three dollars, nor more than five dollars; and every non-commissioned officer, musician, and private, who shall refuse and neglect to appear as required by this act, at each and every day of regimental or battalion muster, shall be fined for every such refusal or neglect, the sum of one dollar; and all fines incurred under the provisions of this section shall be by the proper commandant reported to the next regimental court of inquiry for the assessment of fines.

SEC. 33. Any member of the enrolled militia, excepting volunteers and commissioned officers, may commute for all fines for non-attendance at muster, to which he may be subjected in the course of the year, by paying into the county treasury, to the credit of the military fund, on or before the tenth day of September, the sum of two dollars; for which payment the treasurer shall give him a receipt, which must be presented to the commandant of his company, on or before the first muster-day thereafter, in order to secure the exemption from fine.

SEC. 34. Each company of volunteer infantry or cavalry, organized, uniformed and equipped under the provisions of this act, shall be entitled to receive annually the sum of two hundred dollars as a company fund, for the care of arms, rents of armories, and other incidental expenses of said company, and a like allowance shall be made of one hundred dollars for every two guns in a battery; said sum of money to be paid out of the military fund of the county in which said company

or battery is located, on the certificate of the commanding officer of said company or battery, which certificate shall state the fact of compliance by said company or battery with the requirements of the law during the current year: *Provided*, That no such payment shall be continued to any company after its members shall be reduced below forty. All volunteer companies or batteries now organized and uniformed under the laws of this state, shall be taken and considered as organized under this act, and entitled to all the privileges herein conferred.

See Sec. 15.

Existing companies saved.

SEC. 35. No muster or parade of the militia of this state shall be held on any day during which a general or special election shall be held, nor within five days previous to such elections, except in cases of riot, invasion, or insurrection, or imminent danger thereof; and if any officer shall order any such muster or parade, he shall forfeit and pay the sum of one hundred dollars.

No muster on election day or within five days before.

Fine, \$100.

SEC. 36. That the commandants of companies in each regiment, squadron, or battalion, shall constitute a regimental court of inquiry, over which the major or the commandant present ranking as senior shall preside; who shall meet at 10 o'clock a. m. on that day week next after their regimental, squadron or battalion muster, at or as near the place of such muster as is convenient; notice of which meeting shall be given by the commandants of regiments, squadrons or battalions, at their regimental, squadron or battalion muster, and repeated by commandants of companies to their companies before they are dismissed on the day of regimental, squadron or battalion muster; and at said regimental, squadron or battalion court of inquiry, the adjutant shall attend and keep a record of the proceedings of said court, and shall make out a list of the members fined at said court in each company, with the amount of fine assessed on each annexed to their names, which list shall be signed by the officer presiding at said court, and attested by the adjutant, and by him preserved. Any person feeling aggrieved by the decision of said regimental court of inquiry, may have a new trial by order of the commandant of the proper regiment or battalion; which commander shall thereupon convene a court of appeals, before which such new trial shall be had. The court of appeals shall meet at such time and at such place within the regimental bounds as the commandant shall order, and shall be constituted and organized in the same way as the court of inquiry.

Court of inquiry on fines, when to be held; its proceedings.

Notice relating to this court.

See Sec. 70.

New trial, when and how.

SEC. 37. That the officers constituting said regimental, squadron or battalion court of inquiry and appeals, shall each be entitled to receive the sum of two dollars for each day they may be engaged in attendance on said court, to be paid out of the military fund of the county.

Pay of the court of inquiry.

SEC. 38. That in all cases where fines or penalties are incurred or assessed in accordance with the provisions of this act, the company, battery, squadron, battalion, regiment, and court of inquiry, before whom, or on whose account the same are assessed or incurred, shall have process from any courts in this state, within the proper county, having jurisdiction of the amount of fines, to enforce the same to final judgment and execution; and in all cases the records of such company, battery, regiment, and court of inquiry, shall be received as prima facie evidence: *Provided*, That in all cases the defendant on trial may prove in evidence any irregularity in the assessing of such fines, or any other lawful matter of defense not reaching back of the organization of

Fines, how collected and for whose benefit.

Evidence.

- Officers to collect and pay over fines promptly. Fine for neglect; see Sec. 41.
- Arrests of officers.
- Court martials. Proceedings.
- Governor to detail the court martial.
- Fees of provost marshals and witnesses.
- Subpoenas.
- Fines of officers. Colonel, lieutenant, or major commanding, \$10 to \$75.
- Subordinates of field rank, \$8 to \$50.
- Captain, \$6 to \$40.
- Lieutenant, \$5 to \$30.
- Non-commissioned officers, musicians and privates, \$2 to \$3. Proviso.
- Arrest for molesting officer or man on duty.
- such company, battery, or the enrollment of the defendant. And it is hereby made the duty of all officers assessing fines under the provisions of this act, to collect the same without delay, and pay the same over to the proper military fund, reserving the costs of collection, as provided in this act: *Provided, further*, that it shall be the duty of all commandants of batteries, companies, battalions, or regiments, in behalf of whose command, or in whose district any fines are assessed under the provisions of this act, to faithfully collect and pay the same over to the treasurer of the proper county, to go into the military fund.
- SEC. 39. That on charges and specifications, made in writing, against an officer to a superior officer, such superior officer shall, if he thinks the complaint sufficient, cause the officer against whom the complaint is made, to be arrested; and when an officer is arrested, the officer whose duty it is to arrest, shall notify the officer arrested, in writing, that he is suspended from command until acquitted from such complaint, stating the ground of arrest; the complaint may be dismissed by the governor, or he may order a court martial at his discretion; the proceedings in the trial shall be had, as near as may be, as provided in the rules, regulations, articles of war, and practice for the government of the armies of the United States.
- SEC. 40. The governor, on ordering a court martial, shall detail a judge-advocate and provost-marshal for the trial of said cause; and the members of said court and judge-advocate shall be entitled to receive two dollars each for each day's attendance at said trial, and in traveling to and from court; and the provost-marshal shall receive the same compensation as is allowed to sheriffs for similar service; and witnesses shall receive fifty cents for each day's attendance, and five cents a mile for traveling to and from court; the same to be paid out of the county military fund, on the order of the president of the court; the president of the court may issue subpoenas to compel the attendance of witnesses, and enforce their attendance, if necessary, by attachment.
- SEC. 41. That the following fines shall be assessed for delinquency under this act, to wit: On any colonel of a regiment or commandant thereof, and on the commandants of squadrons or battalions, for neglect of any order of a superior officer, or of any of the duties enjoined by law, not less than ten, nor more than seventy-five dollars; on a lieutenant-colonel, or major, who is not commandant of a regiment, squadron, or battalion, and any staff officer ranking as such, for neglect of any order of his superior officer, or any of the duties enjoined upon him by law, not less than eight, nor more than fifty dollars; on the captain of a company, and on any staff officer ranking as such, for any neglect of any order of his superior officer, or any of the duties enjoined on him by law, not less than six, nor more than forty dollars; on a lieutenant, or cornet, or staff officer ranking as lieutenant, for any neglect of any order of his superior officer, or of any of the duties enjoined on him by law, not less than five, nor more than thirty dollars; on any non-commissioned officer, musician and private, for neglect of any order of a superior officer, or any duty enjoined on him by law, not less than two, nor more than three dollars: *Provided*, That all fines incurred for non-attendance at any muster provided for in this act, are not intended to be included in the foregoing.
- SEC. 42. If any non-commissioned officer, musician, private, or bystander, at any officer, regimental, squadron, battalion, or company muster, or parade, or at a meeting of officers authorized or required by this act, shall molest any officer or soldier, when on duty, the command-

ing officer may order and require such person or persons to be put under guard for any time not exceeding six hours, and such non-commissioned officer, musician, or private may moreover be returned by such commanding officer to the next regimental court of inquiry for the assessment of fines, and may be fined in any sum not less than one, nor more than ten dollars, which fine shall be collected and applied as other fines under the provisions of this act.

SEC. 43. That for fines assessed against minors, fathers shall be liable for their sons, and guardians for their wards, to the amount of funds of the wards in their hands; masters for their apprentices; and all property held in common by any society or association whose tenets or rules require a community of property, shall be liable and bound for any and all fines assessed by the provisions of this act against a member or members of such society or association. All costs made by virtue of any suit brought to recover fines of any description, where the state fails, shall be paid out of the military fund of the proper county.

SEC. 44. That in cases of riot or insurrection, if any commandant of any company, squadron, battalion, or regiment, shall refuse or neglect to appear with such military force at the time and place as the proper sheriff of the county, or mayor of the city or village, shall direct, such officer shall be fined in any sum not exceeding one hundred dollars, nor less than ten dollars, on complaint of said sheriff or mayor, before any court having competent jurisdiction; and every non-commissioned officer, musician, or private, who refuses or neglects to turn out and appear immediately on being notified by any proper officer of his regiment, battalion, or company, shall be fined in any sum not exceeding ten dollars, to be collected as herein provided; the aforesaid fines, when collected, shall go into the military fund: *Provided*, That in all cases of demand or requisition for a military force by the sheriff or mayor, it shall be by application to the superior commissioned officer in rank at the time present in the city or place where such service is required: *Provided, also*, that the volunteer organizations shall be first ordered out.

SEC. 45. Commandants of regiments, battalions, squadrons, or companies, shall have power, and they are hereby required to call out their respective commands for the suppression of riots, and to assist any civil officers in the execution of the laws, when called upon to do so by the proper authorities, and shall be furnished with ammunition, to be paid for out of the county treasury, on the order of the commanding officer of such military force.

SEC. 46. All commissioned and non-commissioned officers, and each and every member of any company, shall receive one dollar per day, or one dollar per night, or two dollars for each day and night together, when serving under the order of a sheriff of their county, or the order of the mayor of their city, or village, to suppress riots, mobs, or to enforce civil law, to be paid out of the county treasury on the order of the said sheriff or mayor aforesaid.

SEC. 47. That for all fines and costs assessed against any person under this act, the real estate and personal property of such person, of every kind, without exception, shall be liable for the payment thereof, and all such fines and costs shall be a lien on such real estate until paid.

SEC. 48. That the surplus of all fines assessed under the provisions of this act, after defraying the expenses of collection, and other expenses as herein provided for, shall be a fund in the hands of the county treas-

Fine in such case \$1 to \$10

See Sec. 70.

Fathers, guardians and masters liable for fines for minor sons, wards and apprentices.

How costs paid.

Fine of commandant for not aiding with his command to put down riot and insurrection, \$10 to \$100.

Fine of others in like cases, \$10.

Requisition of sheriff or mayor.

Volunteers first.

Commandants call out troops in case of riot, &c.

Ammunition in such case.

Pay, \$1 per day and \$1 per night when serving under call of civil authorities.

Fines a lien on property until paid.

Surplus of fines a trust fund for prop-

er military organization.

How drawn, and for what expended.

Co. treasurer keep separate account.

Militia may be called into service by governor, when.

When a deserter.

Articles of war.

Volunteers called first.

When troops form brigades and divisions, and how.

Elections in such case.

Brig. and div. officers com'd, and for how long.

Pay in active service.

Staff of governor.

Their duties ;

And their pay.

urer, in trust for the use and benefit of the respective companies, regiments, squadrons, and battalions, from which it was collected, in proportion to the amount collected from each ; and may be drawn on the order of the commandant of the company, regiment, squadron, or battalion, entitled to the same, and expended in such way as a majority of the commissioned officers shall think best for the good of the company, regiment, squadron, or battalion ; and the county treasurer shall keep an account with each company, regiment, squadron, and battalion ; and in paying any order drawn on him as aforesaid, he shall preserve the order as his voucher in settling with the adjutant of regiments, or other officer ; and in all other cases of payment he shall take a receipt, specifying the amount paid, and for what purpose, which receipts he shall file, and enter upon his account, and preserve.

SEC. 49. That the enrolled militia of this state, or any portion of them, shall be liable to be called into active service by order of the governor, in case of invasion, or to prevent invasion, riot, or insurrection ; and any person liable to perform military duty, neglecting or refusing to march as ordered by the proper commanding officer, shall be deemed and treated as a deserter. The militia, while in active service, shall be governed by the military laws of the state, and the rules and regulations of war of the United States : *Provided*, That the volunteer militia shall in all cases of actual or threatened invasion, riot, or insurrection, be the first military force called for duty or ordered into the field.

SEC. 50. That when two or more regiments of the militia of this state are called into active service, said regiments shall be organized by the commander-in-chief into brigades and divisions ; two regiments and not exceeding four shall form a brigade, and two and not exceeding three brigades shall form a division ; said brigades and divisions in all cases electing such additional commissioned officers as are usual and necessary for their efficiency and good government ; said elections, as far as circumstances will admit of, shall be conducted in accordance with the provisions of this act.

SEC. 51. All officers elected in pursuance of the provisions of the preceding section, shall, if there is no contest, be commissioned by the governor, as in other cases. All such commissions shall terminate with the cause that called said militia into active service.

SEC. 52. When any of the militia of this state shall be called into active service by the governor, in case of invasion, or to prevent invasion, riot or insurrection, they shall receive the same compensation as volunteers in the United States service are allowed, to be paid on the certificate of the governor.

SEC. 53. The staff officers of the commander-in-chief shall be of the following : One adjutant-general, who shall rank as brigadier-general ; one assistant adjutant-general, who shall rank as lieutenant-colonel ; one quartermaster-general, who shall rank as brigadier-general, and perform the duties of commissary-general ; and one aid-de-camp, with the rank of colonel. The adjutant-general shall perform the duties of inspector-general ; and the aid-de-camp shall perform the duties of judge-advocate-general, and engineer-in-chief.

SEC. 54. The compensation of the staff officers of the commander-in-chief shall be as fixed by law. The duties of said staff officers shall be such as pertain to their respective positions in said grades in the regular army of the United States, and such other duties as may from time to time be assigned them by the governor.

SEC. 55. The commander-in-chief, whenever in his opinion it becomes necessary, may organize a subsistence or commissary department, and for that purpose shall order the quartermaster-general to perform the duties of commissary-general, and may appoint such other assistant commissaries as he may think necessary, or the good of the service may require, with such rank as is conferred on officers of the same station in the army of the United States, and he may also appoint such number of storekeepers and other officers as the good of the service may require, and may order any or all such officers into actual service when their services become necessary; and such other assistant commissaries as may be appointed shall for their services receive a salary not exceeding sixty dollars per month for the time in actual service.

SEC. 56. The commander-in-chief, when in his opinion it becomes necessary, may complete the organization of the medical department by appointing a surgeon-general, with the rank of colonel, who shall for his services receive an annual salary at the rate of twelve hundred and fifty dollars per annum for the actual time employed: *Provided*, That any pay or emoluments received by said surgeon-general from the United States government, during the time actually employed in the service of the state, shall be deducted from the salary aforesaid.

SEC. 57. Immediately on the passage of this act, the governor shall appoint a medical board, to consist of not less than three skillful surgeons; and no person shall receive the appointment of surgeon or assistant unless he shall have been examined and approved by said board: *Provided*, That all examinations and approvals heretofore made under any law of the state shall be held to be sufficient under this act. Said board of examiners shall for their services receive at the rate of four dollars per day for the time employed, and shall be entitled to the same mileage as members of the general assembly.

SEC. 58. All the salaries and accounts of the staff and governor shall be countersigned by the governor and paid on his certificate.

SEC. 59. That all military commissions issued, except to the staff officers of the commander-in-chief, shall expire in five years from the date thereof: *Provided*, That any officer holding a commission under the provisions of this act, who may be re-elected to the same office, shall retain the same rank as he was entitled to under his former commission: *Provided, also*, That nothing in this act shall be so construed as to disqualify any staff officer, or any officer of the line from holding a commission after he may arrive at the age of forty-five years: *And further provided*, That every officer who shall remove out of the bounds of his command, or who shall be absent from his command six months without leave of the proper commanding officer, shall be considered as having vacated his office, and a new election shall be held without delay to fill the vacancy so created: *Provided*, That nothing in this act shall be so construed or understood as to prevent any appointed officer from being removed from his office whenever, in the opinion of the officer appointing him, he shall deem it advisable so to remove him.

SEC. 60. That the uniform of all volunteer companies and batteries now organized or hereafter to be organized, and officers to be hereafter commissioned, shall correspond and conform to the uniform prescribed for the United States army for the time being, except the coat of arms, which shall be that of the state of Ohio: *Provided*, That every commissioned and staff officer shall uniform themselves within four months from the date of his or their commissions, and every non-commissioned staff

Governor may organize subsistence department.

May appoint assistant commissaries and storekeepers.

Their pay.

May organize a medical department. Pay and rank of surgeon-general.

Governor to appoint medical board. Surgeons to pass examination.

Pay of examiners.

Mileage.

Pay acc'ts of gov.'s staff.

Commissions run five years, except.

Rank retained.

Officer absent or out of bounds, forfeit commission, when.

Staff officers removable at pleasure.

Uniform to be that of U. S. for time being.

Time allowed to uniform.

Arms, ordnance and military stores taken care of and controlled by Q. M. Gen. subordinate to governor. He to certify accounts, governor to countersign. Governor to arm volunteers—rules.

Interference with, or unlawful use of arms, ordnance or military stores, armory or arsenal, \$500 fine and three months imprisonment.

Governor to provide camp equipage for encampments. Allowance for musical instruments.

Bands, how formed.

Custodians of property to give bond.

Officer musters and encampments to be held annually not over eight days. Forces from different counties may be joined, non-commissioned officers may be included. Thorough instruction required.

officer shall uniform himself within four months from the date of his appointment, and every member of any volunteer company shall uniform himself within four months from the date of the organization of such company, or from the date when he attached himself to such company.

SEC. 61. All public arms, ammunition, accoutrements, camp equipage and military stores belonging to the state, shall be subject to the control of the quartermaster-general, in accordance with the orders of the governor; and it shall be the duty of the quartermaster-general to see that all arms and munitions of war now belonging to the state, or which may hereafter in any manner be acquired, are properly cared for and kept in good order for use. All accounts accruing against the state under the provisions of this section shall be paid on the certificate of the quartermaster-general, countersigned by the governor.

SEC. 62. Each company of the volunteer militia organized under the provisions of this act, shall be furnished with such arms and equipments as shall be determined by the governor, under such rules and orders as he may prescribe.

SEC. 63. Any person found guilty of selling, disposing of, hiding, secreting, detaining, or refusing to give up any of the arms, accoutrements, camp equipage or munitions of war belonging to the state of Ohio, or who shall in any way wilfully injure any of the same, or any arsenal or armory now belonging to or rented by the state, or owned or rented by any company, battalion, or regiment organized under the laws of this state, shall, on conviction thereof, be fined in any sum not exceeding five hundred dollars, or shall be imprisoned in the county jail for the term of not more than three months, or both, at the discretion of the court.

SEC. 64. It is hereby made the duty of the governor to provide the proper camp equipage for all military encampments held under the provisions of this act.

SEC. 65. Each company organized under the provisions of this act shall be entitled to receive from the proper military fund in their respective counties, the sum of five dollars for the purchase of musical instruments for martial music, and none other, except the bugle, shall be used by any of the military organizations of this state, and from the company bands within his district the commandant of any regiment or battalion may select a sufficient number for a regimental band.

SEC. 66. All persons who by this act are placed in charge of public property for safe keeping, or money for disbursement, shall give bond with security to the satisfaction of the governor, for the faithful performance of their duties.

SEC. 67. For the purpose of improving the discipline and military education of the military forces to be organized under this act, there shall be held, once in each year, a muster and encampment, of not exceeding eight days duration, of all commissioned officers belonging to the several military organizations of this state, at such times and places, within their respective counties, and in such numbers as the commander-in-chief shall direct: *Provided*, That when the good of the service shall require, the officers and non-commissioned officers from two or more counties may be joined in such encampment and muster, and while thus assembled, they shall be formed into corps of instruction, without regard to rank, and shall be thoroughly instructed and drilled in the manual of arms and in the most essential parts of the school of the soldier, company and battalion, and in such other theoretical and practical details, appropriate to each arm, as will tend to the greater efficiency, and shall be

subject to the regulations and articles of war for the government of the armies of the United States; that the commander-in-chief shall select and detail an officer as commandant and instructor for every such muster and encampment, who is thoroughly qualified for the duty, and shall cause the adjutant-general to prepare and have printed, and forwarded to each commandant of regiment, battalion, company, and battery, on or before the first day of April in each year, after the present, a sufficient number of copies of a general order, containing a series of lessons, with a schedule of roll-calls, and the hours and order of service, to be distributed to all who are required to attend such encampment and muster, and every officer receiving such copies for distribution shall promptly deliver them to those for whom they may be intended: *Provided*, That for the present year, such general order shall be distributed as promptly and as rapidly as the state of the organization in the respective counties will permit. A sufficient number of musicians for each arm of the service shall be detailed for duty at every such encampment. The commandant at each officer muster shall require the officers and non-commissioned officers in attendance to recite and drill the prescribed lessons, in such manner as shall be best calculated to promote thorough discipline and impart to those under his command the greatest amount of practical military knowledge and efficiency. During the last two days of such encampment the entire strength of every volunteer organization, within the district represented at such encampment, shall attend the same, and diligently participate in the prescribed drill and instructions.

SEC. 68. All officers, non-commissioned officers, musicians and privates, required to attend such officers' muster, shall be entitled to transportation between the place of their respective residences and such muster, to go and return, and to be provided by the quartermaster-general on the most direct route by railroad, and if in any case there be no direct route by railroad, then transportation shall be computed by the most direct route on the common road, at the same rate per mile as shall be paid for railroad transportation by the state for the time being.

SEC. 69. The time and place for each officer muster and encampment shall be announced in a general [order,] to be published at least six weeks before any such muster is to be held, and thereupon the quartermaster-general shall immediately advertise, for a period of ten days, in one paper in each military district, designated by the order, inviting sealed proposals separately for each encampment, to provide rations during the continuance of such muster, for all who are required to attend the same; said rations to be the same in every particular as are prescribed for the armies of the United States; and upon the opening of such proposals the quartermaster-general shall proceed to make written contracts, in duplicate, separately as to each encampment, with the lowest responsible bidder, or bidders, for all the rations so required, and such rations shall be issued in the usual mode, upon requisitions, to be approved by the commandant of the encampment, and the amount thus issued shall be apportioned by the quartermaster-general and commandant of the encampment, rateably, among the several counties represented at such encampment, in proportion to the number from each county so subsisted, and the amount so found to be due from each county to the contractor, or contractors, shall be certified by the quartermaster-general and such commandant, and on the production of such certificate to, and filing the same with the county auditor of the proper county, he shall give the holder of such certificate an order for the proper amount on the treasurer of his county, payable out of the proper fund.

U. S. army regulations and articles of war in force. Governor to select and detail commandant and instructor.

Adjutant-general to issue order prescribing lessons, etc., before 1st April after 1863.

How distributed.

See sec. 41.

Time of order for 1863.

Musicians detailed.

Mode of instruction.

Volunteers to attend two last days of officers' muster.

All who attend officer musters entitled to transportation from Q. M. General.

General order to issue six weeks before each officer muster, fixing time and place.

Q. M. General to advertise for subsistence.

Rations same as U. S. army.

How rations issued.

Apportioned pro rata to different counties.

Paid for out of county military fund.

Fine at officer muster is by the day. See Secs. 32 and 36.

Adjutants to make records and obey orders.

When absent, another officer detailed.

Adjutant-general to furnish blank forms and render system complete as far as practicable.

To keep records and papers, and make annual reports.

2,000 copies of this act, with forms, to be sent to counties for distribution. See Sec. 41.

Breaking and entering arsenal, &c., is burglary.

\$10,000 appropriated for transportation

Acts repealed.

SEC. 70. Every commissioned or non-commissioned officer or member of any volunteer company neglecting or refusing to attend such encampment and muster, shall be fined as provided in section forty-two, and all fines assessed under the provisions of this section shall be reported to the annual court of inquiry provided for in this act, by the commandant of any such encampment and muster.

SEC. 71. The adjutants of regiments, squadrons and battalions shall attend to and record all returns from the commandant of regiments, squadrons and battalions, and record the same in a book to be provided for that purpose, and shall perform such other duties as may, from time to time, be required of them by the commandants of their regiments, squadrons and battalions: *Provided*, That when any adjutant shall be absent in command, the commanding officer shall appoint a suitable person to perform the duties of adjutant.

SEC. 72. That the adjutant-general of the state shall furnish to the commandants of regiments and volunteer companies, blank forms of rolls, bonds, and of the different returns that may be required, and from time to time explain the principles on which they should be made, together with such general regulations, concerning the organization and government of the militia, as will better promote the discipline and order thereof, and supply such practical details as are needed to make that organization systematic and complete. He shall also keep the records, volumes and papers of that department in an office at the state-house, and make annual reports of all matters coming within his department, which report shall be submitted to the governor before each meeting of the general assembly.

SEC. 73. The commander-in-chief shall cause two thousand copies of this act to be printed in book form, which books shall have attached to them all the necessary forms by which all returns shall be made of companies, regiments, squadrons, or battalions, also, brigades and divisions; which pamphlets shall be distributed and forwarded to the county seats of the several regiments and volunteer companies, as other laws are, and in due time to be directed to the commandants of said regiments and companies, who shall be bound to receive and distribute the same as circumstances may require.

SEC. 74. Any person unlawfully breaking and entering in the day or night season, any arsenal, store-house, or other building where military property of this state, or of the United States, is kept, shall be deemed guilty of a misdemeanor, and, upon conviction, be punished as for burglary.

SEC. 75. For the expenses of transportation to and from camps of instruction, there is hereby appropriated out of any moneys in the treasury not otherwise appropriated, the sum of ten thousand dollars.

SEC. 76. That the act entitled "an act to organize and discipline the militia and volunteer militia," passed March 28, 1857; the act entitled "an act to amend an act passed March 28, 1857, entitled an act to organize and discipline the militia and volunteer militia," passed April 12, 1858; the act entitled "an act for the further organization and discipline of the militia and volunteer militia," passed March 26, 1859; the act entitled "an act further to provide for the care and distribution of the public arms," passed March 4, 1859; the act entitled "an act to appropriate the proceeds of the sale of old arms heretofore collected, to the purchase of a site, and the erection of a state arsenal thereon," passed March 24, 1859; the act entitled "an act to organ-

ize and regulate an independent militia," passed March 26, 1859 ; the act entitled "an act to encourage and secure the safe-keeping of the public arms in the hands of volunteer companies," passed April 12, 1861 ; the act entitled "an act to enroll the militia of the state," passed April 12, 1861 ; the act entitled "an act to amend the act entitled an act for the further organization and discipline of the militia and volunteer militia, passed March 23, 1859," passed April 13, 1861 ; the act entitled "an act relating to the militia of Ohio mustered into the service of the United States, under any requisition of the president thereof," passed April 17, 1861 ; the act entitled "an act to provide more effectually for the defense of the state against invasion," passed April 26, 1861 ; the act entitled "an act relating to uniforms of the militia," passed May 13, 1861 ; and sections two, three, four, and five of the act entitled "an act to amend sections thirty-four, forty-one, sixty-five, and sixty-six of the act to organize and discipline the militia and volunteer militia," passed March 28, 1857, passed May 1, 1862, be and the same are hereby repealed : *Provided, however*, that any action which may have been commenced, or any right of action which may have accrued, or any penalty which may have been incurred under any of said acts or parts of acts so repealed, may hereafter be prosecuted according to the provisions thereof as fully as if said acts or parts of acts had not been repealed.

SEC. 77. This act shall take effect immediately after its passage.

JAMES R. HUBBELL,

Speaker of the House of Representatives.

B. STANTON,

President of the Senate.

April 14, 1863.

AN ACT

To amend the act to abolish public executions.

* * * * *

SEC. 3. The sheriff may require a military force. Whenever the sheriff shall deem the presence of a military force necessary to carry into effect the provisions of this act, or the act to which this is amendatory, he shall make a written requisition upon the officer of the militia highest in command, then in his county, who shall issue the necessary orders to insure a compliance with the requisition of such sheriff.

SEC. 4. This act shall be in force from and after its passage.

Passed February 16, 1846.

See Sec. 44 of militia law, passed April 14th, 1863.

AN ACT

To prevent the sale of intoxicating liquors in the vicinity of camps.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That no person shall sell or expose for sale, or otherwise dispose of in any way, or at any place at or within the distance of two miles of Sale of liquor within two miles of camp.

any military camp in this state, any intoxicating liquor ; nor shall any person be allowed to keep any shop, booth, tent, wagon, or other carriage, vessel or boat, or any stand or table, for the sale of any spirituous or other intoxicating liquors at such camp, or within the distance of two miles of the same.

City or village
exempted.

Penalty.

Arrest and
prosecution.

SEC. 2. The provisions of the first section of this act shall not be construed to prevent persons in a city or village from carrying on any trade or business *now authorized by law*, at their regular places of business. Any person found guilty of committing a breach of the provisions of this act shall forfeit and pay for every such offense a fine of not less than ten dollars nor more than one hundred dollars into the treasury of the proper township, for the use of common schools ; and any sheriff, coroner, constable, justice of the peace of the proper county, or a commissioned officer of the volunteer militia of this state shall, upon view, *without warrant*, apprehend any person so offending, *and seize all such liquors and the utensils or furniture containing the same*, and convey them before some justice of the peace or mayor within the county, and such justice or mayor, upon complaint, under oath, of the officer so apprehending, or any other person filing information, shall issue his warrant of arrest, which shall be served by any of the officers herein authorized to make arrests, and proceed to inquire into the truth of such accusation, and if found true, shall proceed to bind the offender in such amount, not exceeding five hundred dollars, as he shall deem proper, to answer at the next regular term of the court of common pleas of the proper county, to be proceeded with by indictment, the fine and costs to be collected as in other criminal cases : *Provided*, That if such offender shall plead guilty, such justice or mayor shall affix the penalty and proceed to judgment, and in such case he shall immediately issue an execution against the property and body of the defendant for the fine and costs, unless paid or secured, and said defendant shall not be discharged until the same are so paid or secured.

SEC. 3. This act shall take effect on its passage.

P. HITCHCOCK,

Speaker of the House of Representatives.

JAMES MONROE,

President pro tem. of the Senate.

Passed May 13, 1861.

AN ACT

Relating to sutlers and military storekeepers for the Ohio volunteer militia.

Approval of
governor
required.

Bond.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That all appointments of sutlers and military storekeepers to any of the regiments or brigades of the Ohio volunteer militia mustered into service under any of the laws of this state, shall be approved by the governor ; and no appointment of such sutler or military storekeeper shall take effect until the governor's approval shall be indorsed on the certificate thereof. Every sutler and military storekeeper so appointed shall give bond to the state of Ohio, in the sum of ten thousand dollars, conditioned for the faithful performance of his duties, which bond shall be approved by the governor before such sutler or military storekeeper shall be allowed to act.

SEC. 2. Every sutler and military storekeeper appointed under the provisions of this act shall be subject to removal at the discretion of the proper brigadier-general, or the governor, and shall be liable on his official bond for all abuses of his trust. This act shall apply to all appointments heretofore made, as well as hereafter to be made.

SEC. 3. This act shall take effect from its passage.

P. HITCHCOCK,
Speaker of the House of Representatives.
 ROBERT C. KIRK,
President of the Senate.

Passed May 9, 1861.

See Sec. 55 of the militia law passed April 14, 1863.

AN ACT

Relating to the bonds of certain officers.

SECTION 1. *Be it enacted by the General Assembly of the State of Ohio*, That the quartermaster-general, commissary-general, paymaster-general, and all quartermasters, commissaries, paymasters and other disbursing officers, *and such other persons having custody or control of the public moneys or other property in the military service of the state as the governor may, from time to time, designate*, shall severally give bond with two or more sufficient sureties, to the satisfaction of the governor, conditioned for the due and faithful discharge of their respective duties, in such form as may be prescribed by the governor. Every disbursing officer, and every person having the custody and control of *the property* or moneys of the state, or of the transportation or subsistence of the forces of the state shall, from time to time, make report, in such form and to such department as the governor may require; and all accounts of expenditures in the service, with the proper vouchers therefor, shall, once in three months, be filed in the office of the auditor of state, who shall audit and determine the validity of the same.

Accounting
 officers and
 custodians of
 arms and
 other proper-
 ty to give
 bond, and re-
 port as gov-
 ernor directs.

SEC. 2. This act shall take effect on its passage.

P. HITCHCOCK,
Speaker pro tem. of the House of Representatives.
 ROBERT C. KIRK,
President of the Senate.

Passed April 23, 1861.

See Secs. 63 and 66 militia law of April 14, 1863; also, general orders No. 10, page —.

EXPLANATIONS OF STATUTES.

The following explanations are offered to prevent controversies, delay, and expense :

Firemen not exempt from military duty.

By the act of February 8, 1847 (3 Curwen Stat. 1330), exemptions from military duty were granted to certain firemen in the counties of Hamilton, Montgomery and Cuyahoga, and by an act passed April 3, 1857 (4 Curwen, 2916), a general exemption from military duty was granted to acting firemen; and firemen who had performed five years' service were declared to be forever exempt from military duty, *in time of peace*. But Art. IX of the Constitution of Ohio provides as follows :

SEC. 1. All white male citizens, residents of this state, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia, and perform military duty, in such manner not incompatible with the constitution and laws of the United States, as may be prescribed by law.

The Legislature might provide by law for exemptions. But now section one of the existing militia law (passed April 14, 1863,) carries out the full scope of the Constitution, and requires—

“That all white male citizens, residents of this state, being eighteen years of age, and under the age of forty-five years, shall be enrolled in the militia, and perform military duty, in such manner, not incompatible with the constitution and laws of the United States, as hereinafter prescribed.”

Firemen, therefore, are not exempt. By the last clause of Sec. 3 of the last mentioned act, all who are liable to perform military duty are to be made to perform it, whether they were enrolled at the proper time or not.

Assessors, Trustees, and Township and City Clerks.

As there may be doubt, delay and error as to the duties of assessors, clerks and trustees, growing out of misconstructions of sections three and four of the new militia law, and as these duties have to be performed annually, the following suggestions may aid in preventing misconstructions and consequent difficulties.

There being no clerk of a ward, the intention of the law evidently is, that the enrollment lists shall be placed in that clerk's office where all transactions of a ward, or of its trustees, have to be filed. The trustees of a ward, for election purposes, represent it as a separate legal organization, the same as a township is represented by township trustees. But they have no place within their respective wards where papers are to be filed, and in strictness no clerk of a ward. The election returns from each ward have to be returned to the office of city clerk. He is the only officer answering to the duties of clerk of an election district, and with him the enrollment lists of the militia of the different wards are to be deposited, to await the action of the trustees of the respective wards.

The words “township trustees,” in line five of section four, should be construed as meaning the trustees of any election district, whether a ward or a township, for certainly that must be the intent of the Legislature.

It is urgently requested of the clerks of cities and townships, that they give immediate notice in writing to the township and ward trustees, of the depositing of said enrollment lists, as soon as they are received. The trustees for each township and ward should then designate a time and place when and where they will hear claims for exemption, and immediately direct the clerk to give the proper notice of hearing

those claims under section four. No delay in any part of these proceedings of assessor, clerk, or trustees, should happen, if it can be avoided, and it is earnestly hoped that all of these officers will dispatch the business to be done by them, with great promptness and accuracy.

Number of days of musters of volunteer organization.

Sec. 28 of the act of April 14th, 1863, requires that each volunteer company and battery shall muster on the last Saturday of September; "and each volunteer company and battery shall, besides such muster, have two or more additional musters in each year." The *place* of each of these three or more musters of company, or battery, is to be determined by its commandant. The two days' muster with the officers of the military district, under the last clause of Sec. 67, is to be at a place fixed by the Governor, and is independent of, and in addition to, the three days under Sec. 28.

By constitution, or by-law, volunteer organizations under Sec. 18 may provide for additional musters, but the *place* should be designated by the commandant, under Sec. 28.

The fine for non-attendance at the officer muster of volunteer companies and batteries remaining unattached to any battalion, or regiment, will be assessed under Sec. 30, for they muster by company or battery. But if they are organized into battalion, or regiment, the fine will be assessed under Sec. 32, for, in that case, they muster by regiment, or battalion.

Commutation of fines.

The commutation, under Sec. 33 of the militia law, in lieu of performing duty in the militia as a non-commissioned officer or private, and to escape a fine for such omission, must be paid in anticipation of the muster, and for the present year must be paid on or before the tenth of next September. The section is somewhat obscure, but it will be seen by Secs. 30, 31, 32, 36 and 38 of the militia law, that fines are to be promptly assessed, and if not paid, to be promptly put in judgment, and of course costs would have accrued against the delinquent, in addition to the two dollars and a half of fines. The object of the Legislature evidently was, to induce the payment of two dollars *in advance*, thus securing the money when it would be needed to meet the current expenses of the year; and to save the trouble and expense of courts of inquiry and justice courts in assessing and collecting fines, two dollars in advance was to be received, and the payment, evidenced by the county treasurer's receipt, is to be reported to the proper commandant "on or before the first muster day thereafter." Nothing appears in the act about such payment being a satisfaction of the judgment or judgments supposed to be recovered. Nor can any reason be assigned, why, if judgments had been recovered, the money should be paid to the county treasurer, leaving the costs unprovided for. Any other construction than that here contended for would subject the Legislature to the charge of having very unwisely and unjustly held out inducements and offered a premium for delay of nearly a whole year to one who had neglected his duty and violated a penal statute.

CHAS. W. HILL,
Adjt.-Gen. of Ohio.

GENERAL HEAD QUARTERS, STATE OF OHIO,
 ADJUTANT-GENERAL'S OFFICE,
Columbus, O., April 16th, 1863.

GENERAL ORDERS, }
 No. 6. }

Under the act to organize and discipline the Militia, passed by the General Assembly of this State on the 14th instant, the Scale of Organization in the different arms of the service, will be as follows :

COMPANY OF INFANTRY.

1 Captain ;	4 Sergeants ;
1 First Lieutenant ;	8 Corporals ;
1 Second Lieutenant ;	2 Musicians ;
1 First Sergeant ;	1 Wagoner ;

And not less than 64 nor more than 82 privates.

COMPANY OF CAVALRY.

1 Captain ;	5 Sergeants ;
1 First Lieutenant ;	8 Corporals ;
1 Second Lieutenant ;	2 Teamsters ;
1 First Sergeant ;	2 Farriers or Blacksmiths ;
1 Quartermaster Sergeant ;	1 Saddler ;
1 Commissary Sergeant ;	1 Wagoner ;

And not less than 60 nor more than 78 privates. One private will serve as Bugler.

ARTILLERY—TWO GUN BATTERY.

1 First Lieutenant ;	4 Corporals ;
1 Second Lieutenant ;	1 Musician ;
3 Sergeants ;	1 Artificer ;

And not less than 38 nor more than 41 privates.

FOR A FOUR GUN BATTERY.

1 Captain ;	8 Corporals ;
1 First Lieutenant ;	2 Musicians ;
1 Second Lieutenant ;	2 Artificers ;
6 Sergeants ;	1 Wagoner ;

And not less than 76 nor more than 81 privates.

FOR A SIX GUN BATTERY.

1 Captain ;	8 Sergeants ;
1 Sen. 1st Lieutenant ;	12 Corporals ;
1 Jun. 1st Lieutenant ;	2 Musicians ;
1 Sen. 2d Lieutenant ;	2 Artificers ;
1 Jun. 2d Lieutenant ;	1 Wagoner ;

And not less than 114 nor more than 122 privates.

Persons wishing to raise a volunteer force, in either arm of the service, will make written application to the Adjutant-General, naming three responsible persons to enroll the requisite number of men to constitute at least a minimum organization, and no man shall be so enrolled except by the joint approval of at least two of the persons authorized to make such enrollment. When a certified return is made of a sufficient

number of men enrolled, an election of officers will be ordered by the Adjutant-General, and a complete organization perfected.

By order of Commander-in-Chief:

CHAS. W. HILL,
Adjt.-General Ohio.

GENERAL HEAD QUARTERS, STATE OF OHIO,
ADJUTANT-GENERAL'S OFFICE,
Columbus, O., April 16, 1863.

GENERAL ORDERS, }
No. 7. }

The following Order from the War Department is published for information. The instruction of the Volunteer Infantry and Militia of the State will conform to that of the same arm in the service of the United States. "Casey's Infantry Tactics" will therefore be used by all officers of Volunteer Infantry and Militia.

To aid in preventing confusion, and to save needless expense in buying books not required, the newspapers throughout the State are requested to publish these Orders and that from the War Department subjoined.

By order:

CHAS. W. HILL,
Adjt.-General Ohio.

WAR DEPARTMENT,
Washington, August 11, 1862.

The system of Infantry Tactics prepared by Brig-General Silas B. Casey, U. S. A., having been approved by the President, is adopted for the instruction of the Infantry of the Armies of the United States, whether Regular, Volunteer or Militia, with the following modifications:

1st. That portion which requires that two companies shall be permanently detached from the battalion, as skirmishers, will be suspended.

2d. In Title First, Article First, the following will be substituted for paragraph 6, viz:

A regiment is composed of two companies, which will be habitually posted from right to left, in the following order: First, sixth, fourth, ninth, third, eighth, fifth, tenth, seventh, second, according to the rank of Captain.

EDWIN M. STANTON,
Secretary of War.

GENERAL HEADQUARTERS, STATE OF OHIO,
ADJUTANT-GENERAL'S OFFICE,
COLUMBUS, O., May 4th, 1863.

GENERAL ORDERS, }
No. 9. }

By the thirty-fourth section of the act to organize and discipline the militia of Ohio, passed April 14th, 1863, it is provided that "all volunteer companies and batteries now *organized and uniformed* under the laws of this State shall be taken and considered as organized under this act, and entitled to all the privileges" therein conferred. But, to secure these privileges, it is imperatively required that companies existing under the former statutes report in writing to the Adjutant-General of this State on or before the 25th instant, showing—

1st. The date of organization, and by what authority.

2d. The actual strength reliable for service at the date of this order.

3d. A complete roll showing the rank of each member, the date of his enrollment, and the date of rank and post-office address of each officer.

4th. The arm of the service to which the company belongs, how many members are uniformed in whole or in part, and the style and condition of the uniform.

5th. A complete schedule of all the arms and public property held by the company or its members, where and how kept, and the condition and value of the same.

6th. If the actual strength of the company is below the minimum as announced in General Orders No. 6, current series from these headquarters, then the officer making the return will state whether additional members can be enrolled sufficient to reach the minimum standard by the first day of June.

All companies omitting to make report as herein required will be immediately consolidated or disbanded.

Newspapers in the towns and cities where there have been volunteer companies will render timely and valuable aid to the public service by an early publication of this order.

By order

CHAS. W. HILL,
Adj.-Gen. of Ohio.

GENERAL ORDERS, }
No. 10. }

GENERAL HEADQUARTERS, STATE OF OHIO,
ADJUTANT-GENERAL'S OFFICE,
COLUMBUS, O., May 4th, 1863.

The commandant of every military company and battery of this State, to which any arms, ordnance, military stores, or other property may be issued, shall, before receiving the same, enter into bond in double the value of such property, with two or more sufficient sureties, conditioned that such property shall be safely kept in a complete state of preservation and readiness for immediate use, in some place appropriate for that purpose, and that no part of such property shall be taken from such place of deposit or used for any other purpose than drill or parade of such organization, or other lawful public service, and that it shall be delivered to the successor of such commandant when his office as such shall cease, he first causing a new bond to be executed by his successor, to the acceptance of the Quartermaster-General, or return such property to the State Arsenal in like good condition; and such property shall be so returned at any time when ordered by the Governor; and without a compliance with the terms of this order, no arms, ordnance, ordnance or military stores, or other public property, will be issued to any company or battery, or remain in its possession.

By order

CHAS. W. HILL,
Adj.-Gen. of Ohio.

FORM OF BOND TO BE GIVEN FOR ARMS AND OTHER PROPERTY.

Know all men by these presents, that we, ————, are held and firmly bound to the State of Ohio in the penal sum of ———— dollars, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors and administrators, firmly by these presents. Sealed with our seals, and dated this ——— day of ———, A. D. 18—.

The condition of the above obligation is such, that whereas the said ————, who is commandant of the ——— in the ——— of the Ohio Volunteer Militia, has, as commandant of said ———, received of the State of Ohio the following arms and other property, to wit: [Here give full description of the property.] The value of which amounts to ——— dollars, which arms and other property the said ———— has assumed and does agree to keep safely, and in a complete state of preservation and

readiness for immediate use, in a place appropriate for that purpose, and has agreed not to allow said property, or any part thereof, to be used or taken from such place of deposit for any other purpose than drill and parade of such organization, or other lawful public service, and to deliver it to his successor in office (first causing new bonds to be executed by his successor, to the acceptance of the Quartermaster General), or return the same to the State Arsenal in like good condition; and such property shall be so returned at any time when ordered by the Governor of Ohio.

Now, if the said _____ shall in all respects fulfill and perform the conditions aforesaid, then this obligation to be void; otherwise to remain in full force and virtue in law.

Witness:

_____[SEAL.]
_____[SEAL.]
_____[SEAL.]
_____[SEAL.]

Approved.

GENERAL ORDERS, }
No. 11. }

GENERAL HEADQUARTERS, STATE OF OHIO,
ADJUTANT-GENERAL'S OFFICE,
COLUMBUS, O., May 14th, 1863.

The following rules and regulations, in addition to those prescribed in other orders, have been approved, and are now prescribed by the commander-in-chief as necessary for the proper discipline and efficiency of the military forces of this State, and he commands that they be published for the government of all concerned, and that they be strictly observed.

CHAS. W. HILL,
Adj.-Gen. of Ohio.

COMPANIES, ARMS AND AMMUNITION.

ECONOMY OF COMPANIES.

1st. The captain will cause the men of the company to be numbered in a regular series, including the non-commissioned officers, and divided into squads, each to be put under the charge of a non-commissioned officer.

2d. The utmost attention will be paid by commanders of companies to the cleanliness of their men, as to their persons, clothing, arms, accoutrements and equipments, and also as to their quarters or tents.

3d. In armories, the arms should be placed in arm racks, stoppers in the muzzles, the cocks let down, the bayonets in the scabbards, the accoutrements suspended over the arms, and the swords (if any) hung by the belts on pegs, and the number or name, or both, of the soldier placed against them.

4th. Commandants of companies and squads will see that the arms and accoutrements in possession of the men are kept in good order, and that proper care be taken in cleaning them.

5th. Commanders of companies will see that belts are properly fitted to the body; and it is strictly forbidden to cut them without the sanction of the commander of the company, and then only when it is ascertained to be impossible to make them fit properly without.

6th. All arms and equipments issued to the troops, when not in use, will be kept in proper armories, under the charge of suitable persons, and will always be in condition for immediate use. The barrel of the musket or other fire-arm will constantly

be kept clean and free from rust; great care should be taken in rubbing, to prevent bruising or bending the barrel. After firing, it will be necessary to wash out the bore, to wipe it *dry*, and then pass a bit of cloth, slightly greased, to the bottom. In these operations, a rod of wood, with a loop in one end, is to be used instead of the rammer, which is never to be thus employed when it can be avoided. The bore of the barrel will at all times, except in exercise, be secured against the weather by means of a tompon. Arms with percussion locks require to be handled with much care to prevent the hammer from becoming loose, by which its direct stroke on the cone would be rendered uncertain, and the piece probably miss fire; snapping the piece without a cap upon the cone is prohibited, unless the cone is covered or otherwise protected. When unloaded, they will at all times be used with the hammer down upon the cone; but when loaded, and the cap or primer being on the cone, the piece will be carried half-cocked, for safety. When there is no cap on the cone, the vent will be closed, with the hammer resting upon it. For exercise, each soldier will keep provided a piece of sole-leather to fit the cup or counter-sink of the hammer. After a cap has been pressed upon the cone, and then removed, the piece may yet be discharged, notwithstanding the cap is removed, as particles of fulminating powder escaped in expanding the cap may remain in the cone.

7th. At no time and under no pretense are the arms to be left loaded in armories, quarters or tents, or when men are off duty, unless immediate use is anticipated; and no person shall, while on duty, load his gun without orders.

8th. No company or regiment, or any part thereof, shall, on any parade or occasion, appear with arms loaded, or ball-cartridges in their boxes, without permission or orders from the proper commandant.

9th. To carry out the foregoing regulation, commandants of companies, before appearing on parade, are required to cause the arms and accoutrements of their men to be examined, loads to be drawn, and cartridge-boxes to be emptied.

10th. All knapsacks are to be painted black; those for the artillery will be marked in the centre of the cover with the number of the battery in figures one and a half inch in length, of the character called full face, with yellow paint; those for infantry and other corps, marked in the same way with white paint, and the letters O. V. M. The knapsack straps will be black. The knapsacks will also be marked upon the inner side with the designation of the company, on such part as may be readily observed at inspections. Haversacks will be marked upon the flap with the like designation in black letters and figures.

11th. The front of the drums will be marked with the arms of the State and the letters O. V. M., with proper company and regimental designation under the arms in the seroll.

12th. All field-pieces issued to batteries or companies should be kept clean and dry; their vents frequently examined, to see that they are clear; the elevating screw wiped clean, worked and oiled. When tarpaulins are placed over them, they should occasionally be removed, the guns and carriages brushed off, and if damp, allowed to dry. An old sponge staff and head should be used for drill. The new sponges should never be used unless the gun is fired. The implements should all be kept under cover, and should be examined and cleaned as often as once a month. No gun should be fired without careful sponging, nor more frequently than six rounds per minute. The harness and leather articles should be brushed and greased with *neat's-foot oil* as often as their condition requires it; if they have a reddish hue, mix a little lampblack with the oil. First brush the leather carefully, then pass over it a sponge wet with lukewarm water, then apply the oil with a soft brush before the leather is quite dry.

13th. In camp or barracks the company officers must visit the kitchen daily and inspect the kettles, and at all times carefully attend to the messing and economy of their respective companies. The commanding officer will make frequent inspection of the kitchens and messes.

14th. Each company of volunteers will keep an arm chest, in some safe and convenient place, furnished with not less than five rounds of ball-cartridge for each musket; *but such ammunition must not be used, or placed in the cartridge-boxes, except when a call is made by the civil authorities, requiring the same, or when special orders require target practice.*

15th. No blank-cartridges will be kept in the chest with fixed ammunition; and such chest will be so marked and preserved that no access can be had to the same, through mistake, in ordinary practice.

CHAS. W. HILL,
Adj.-Gen. of Ohio.

GENERAL HEAD QUARTERS, STATE OF OHIO,
ADJUTANT-GENERAL'S OFFICE,
Columbus, O., May 14th, 1863.

GENERAL ORDERS, }
No. 12. }

The following regulations for the government of the military forces of this State when called into service to prevent or suppress riots or insurrections, or to aid the civil authorities, have been approved by the Commander-in-Chief, and he commands that they be published for the government of all concerned, and that they be strictly observed.

CHAS. W. HILL,
Adjt.-Gen'l of Ohio.

AID OF THE CIVIL AUTHORITIES.

The military forces of this State are required to aid the civil authorities in the prevention and suppression of riots and insurrections, and in the enforcement of the laws. (See Secs. 44, 45 and 49 of the militia law of April 14th, 1863.) In responding to such calls, the following regulations will be observed:

1st. The necessity and occasion for calling on the military force, will be at once communicated to the Governor, in the most expeditious way, by the civil officer who makes the requisition, using the telegraph if practicable.

2d. In like manner, and with the same promptness, the military officer called upon will report by telegraph to the Adjutant-General, at these Head Quarters, stating the fact of the call, and as nearly as he can, the number of troops needed, and the number then and there available for the required service. The volunteers are to be first called.

3d. The requisition by the civil officer will be made upon the superior or ranking officer then present in the city, or near the place where the service is required, and such officer will immediately assume command of all the military force within such district, and take the most expeditious means to bring so much force as is required, with an adequate supply of arms and ammunition, into service, with the least practicable delay, and in the best condition for the duty to be performed. When the troops are assembled, the ranking officer present will assume command.

4th. No drunken or disorderly person will be received for such duty, or permitted to aid in its performance, and the military officers will insist upon and enforce the most complete subordination, good order and discipline, and will impress upon their troops the necessity of coolness and self-possession, and will enjoin, absolutely, the rule that no man shall fire without orders from his proper military superior.

5th. The civil officer making the call should communicate his orders and directions to the superior officer in the chief command of the military force. He cannot give a

command to the troops, or otherwise interfere with their movements, or duties. Subordinates in the military force look to their proper military superiors for guidance, and obey their orders.

6th. The instructions of the civil officer are given to the commandant of the military force in general terms, directing the accomplishment of a particular purpose, as, to defend or protect a person, party, place, bridge, building, or to clear a place, disperse rioters, or aid a seizure, or arrest. But the mode, or means by which the specified purpose is to be attained, will be directed by the military commander.

7th. The commanding officer of the military force will be cautious not to allow any persons to become intermingled with the troops, or to close upon them, so as to interfere with their maneuvers; also, not to advance into any riotous or tumultuous assemblage by a flank movement, and especially to guard the command against being entangled with or disarmed by rioters at any time or place. He will be cautious not to weaken his main force too much by detachments; and always to have in hand a sufficient body to act with energy and decided effect, when their services shall be seriously required.

8th. The civil officer may cause the troops to aid him in the execution of process, and in the arrest or dispersion of all rioters and others found in open resistance to the civil authorities, as well as in the maintenance of the public peace, and the protection of persons and property from unlawful violence; and to these ends, the troops are empowered and required to overcome such resistance—effect the prescribed object, and secure and keep the peace, by the use, if necessary, of their arms, and all the power which they possess. But they are not authorized to punish any person for an offense, however amenable he may be to punishment, and they will always endeavor, by firm and judicious conduct, and the moral force of their presence, to establish public order, if possible, without resort to force. To have accomplished the desired result, in that way, will be the best evidence of their skill and the excellence of their measures.

9th. The bayonet should be used, instead of firing, where it will effect the proper result. But where the necessity to fire is evident, an order to fire will be given, and ball cartridge will be used; experience having shown the evil results of firing blank cartridge in the first instance, to suppress a riot. Such firing is therefore prohibited.

10th. The troops are admonished that firing high, or over the heads of an opposing party, with ball cartridge, is a mockery of duty, and most dangerous to those at a distance, or behind the mob, who are really or comparatively innocent.

11th. A complete return will be made by each commandant of company, battery and detachment called into service in the manner above contemplated, and such return will give the names and rank of all who serve, and the period of service in each case; and also the names of those who, being enrolled, were required to turn out for duty and neglected or refused to obey the order. Such returns will be made at the earliest time practicable to the commanding officer, who will authenticate the same, as far as it is correct, and with such special report as he deems proper, forward the same immediately to these Head Quarters.

UNIFORM AND EQUIPAGE.

By section sixty of the act to organize and discipline the militia, passed April 14th, 1863, it is provided "that the uniform of all volunteer companies and batteries now organized, or hereafter to be organized, and officers to be hereafter commissioned, shall correspond and conform to the uniform prescribed for the United States army for the time being, except the coat of arms, which shall be that of the State of Ohio."

To advise the military forces of the State, and those who may be interested in the questions of quality, style and expense of the articles to be obtained, the following table has been prepared from General Orders No. 202 of the War Department, dated December 9th, 1862. The prices affixed to the different articles in this list are those at which they are issued to the troops, and by which they have to be accounted for by officers and others. These prices were to prevail from the time when the order was issued until further order.

By applying in time, and at the proper place or places, volunteer companies and batteries can doubtless obtain their necessary supply at or near the rates here given.

It is not intended nor desired that volunteer organizations should undertake to supply themselves with all of these articles. The uniform is all that they need to supply themselves with, and for the infantry the sack or blouse may be used instead of the coat.

When required, the State will furnish every thing that is needed except the uniform, *that*, for ordinary service, according to section sixty above referred to, must be furnished by the troops themselves, and not by the State. But if called into actual service, the troops will be entitled to a ratable allowance of clothing, according to the time served, in addition to their pay proper.

Statement of Clothing, Camp and Garrison Equipage, as fixed by the War Department, Dec. 9th, 1862.

Articles.	Cavalry.		Light Artillery.		Heavy Artillery.		Infantry.	
	\$	c.	\$	c.	\$	c.	\$	c.
Uniform Hat	1	68	1	68	1	68	1	68
" " Feather.....		15		15		15		15
" " Cord and tassels.....		14		14		14		14
" " Eagle		2		2		2		2
" " Castle								
" " Shell and flame.....								
" " Crossed sabres		3						
" " Crossed cannon				3		3		
" " Bugle								3
" " Letter		1		1		1		1
" " Number		1		1		1		1
" Cap (Light Artillery)			1	06				
" " Tulip.....				8				
" " Cord and tassels.....				75				
" " Plate				4				
" " Rings, pairs of				8				
" " Hair plume.....				75				

Statement of Clothing, &c.—Continued.

Articles.	Cavalry.	Light Ar- tillery.	Heavy Ar- tillery.	Infantry.
	\$ c.	\$ c.	\$ c.	\$ c.
Forage Cap	56	56	56	56
“ “ Cover	18	18	18	18
Uniform Coat, Musicians'			7 45	7 45
“ “ Privates'			7 21	7 21
“ Jacket, Musicians'	5 97	5 97		
“ “ Privates'	5 55	5 55		
Chevrons, pairs, N. C. S.	1 25		1 25	1 25
“ 1st Sergeants'	35	35	35	35
“ Sergeants'	24	24	24	24
“ Corporals'	20	20	20	20
Caduceus				
Shoulder Seals, pairs, N. C. S.	50		50	50
“ “ “ Sergeants'	50	50	50	50
“ “ “ Privates'	50	50	50	50
Trowsers, Sergeants'	4 80	4 80	3 75	3 75
“ Corporals'	4 80	4 80	3 75	3 75
“ Privates'	4 60	4 60	3 55	3 55
Sash	1 84	1 84	1 84	1 84
Flannel Sack Coat or Blouse (unlined)	2 40	2 40	2 40	2 40
“ “ “ “ “ (lined)	3 14	3 14	3 14	3 14
Knit Jackets	2 70	2 70	2 70	2 70
Flannel Shirts	1 46	1 46	1 46	1 46
Knit “	1 30	1 30	1 30	1 30
Flannel Drawers	95	95	95	95
Knit “	1 00	1 00	1 00	1 00
Stockings	32	32	32	32
Bootees, sewed	2 05	2 05	2 05	2 05
“ pegged	1 48	1 48	1 48	1 48
Boots, sewed	3 25	3 25		
“ pegged	2 87	2 87		
Great Coats	11 50	11 50	9 50	9 50
“ “ Straps, pairs	14	14		
Blankets, woolen	3 60	3 60	3 60	3 60
“ painted			1 65	1 65
“ rubber			2 55	2 55
Poncho, painted	2 10	2 10		
“ rubber	2 90	2 90		
Leather Stocks	10	10	10	10
Leggins, leather				1 25
“ linen				75
Overalls				
Stable Frocks	1 65	1 65		
Talmas	5 00	5 00		

CAMP AND GARRISON EQUIPAGE.

Knapsacks and straps.....	\$2 14	Drum sticks, carriage.....	52
Haversacks, unpainted.....	48	“ cord.....	30
“ enameled and painted.....	56	“ snares, sets.....	16
Canteen, complete.....	44	“ case.....	38
“ strap, leather.....	15	Wall tent.....	\$35 00
Bedsacks, single.....	3 00	“ “ fly.....	17 00
“ double.....	3 15	“ “ poles, sets.....	87
Mosquito bars.....	3 15	“ “ pins, sets.....	39
Axe.....	83		53 26
“ helve.....	12	Sibley tent.....	\$60 00
“ sling.....	63	“ “ pole and tripod.....	3 40
Hatchet.....	32	“ “ pins, sets.....	31
“ helve.....	3		63 71
“ sling.....	35	Stove.....	2 62
Spade.....	70	Hospital tent.....	\$87 54
Shovel.....	65	“ “ fly.....	23 20
Pickaxe.....	67	“ “ poles, sets..	2 00
“ helve.....	11	“ “ pins, sets... ..	1 00
Camp kettle.....	55		123 74
Mess pan.....	23	Common tent.....	\$21 50
Iron pot.....	1 15	“ “ poles, sets..	70
Garrison flag.....	43 00	“ “ pins, sets ..	25
“ “ halliard.....	3 25		22 45
Storm flag.....	17 00	Shelter tent, complete.....	3 25
Recruiting flag.....	6 50	Tent pins, hospital, large.....	3
“ “ halliard.....	1 00	“ “ wall, large.....	2
Guidon.....	12 00	“ “ common, small.....	1
Camp color.....	2 28	Regimental book, order... ..	\$1 35
Standard for mounted regiments .	30 00	“ “ letter... ..	1 35
National color, artillery and infantry	42 00	“ “ index... ..	1 46
Regimental color, artillery and infantry	63 00	“ “ descriptive.....	2 10
Color belt and sling.....	4 50		6 26
Trumpet with extra mouth-piece .	3 37	Post book, morning report... ..	50
Bugle.....	3 00	“ guard “... ..	86
Cords and tassels for trumpets or bugles.....	90	“ order.....	50
Fife, “B” or “C”.....	50	“ letter.....	50
Drum, complete.....	5 50		2 36
“ head, batter.....	75	Company book, clothing... ..	\$2 00
“ “ snare.....	28	“ “ descriptive. ..	1 38
“ sling.....	40	“ “ order.....	52
“ sticks, pairs.....	22	“ “ morn. report.....	1 50
			5 40
		Regimental book, general order..	1 30
		Record book for target practice ..	56

GENERAL HEAD QUARTERS, STATE OF OHIO,
 ADJUTANT-GENERAL'S OFFICE,
Columbus, O., May 30, 1863.

GENERAL ORDERS, }

No. 13. } Every non-commissioned officer in any military organization under the laws of this State, as soon as appointed will be notified of his appointment by his proper commandant, and will be required to accept or decline such appointment at once; and upon acceptance, such commandant will forthwith report such appointment and acceptance to this office, giving the name, date and rank of each appointee, his corps and residence; and will in like manner promptly report all vacancies of non-commissioned officers in his command, with the date and cause, and will take immediate measures to fill any such vacancy.

A disregard of any of the foregoing regulations by any commissioned officer will be proceeded upon as for a disobedience of orders.

Blank non-commissioned officers' warrants will be furnished from this office for all non-commissioned officers of volunteers.

By order :

CHAS. W. HILL,
Adjt.-Gen. of Ohio.

GENERAL HEAD QUARTERS, STATE OF OHIO,
 ADJUTANT-GENERAL'S OFFICE,
Columbus, O., May 30, 1863.

GENERAL ORDERS, }

No. 14. } Reports are required from and will be made by the commandants of all detachments, batteries, companies, battalions and regiments organized or to be organized under the laws of this State, whenever their troops shall have been called out for actual service by the Governor, or other competent authority, and also when in attendance at any encampment held under the law of this State.

Such reports will be in accordance with Paragraph 236 of the Revised Army Regulations of the United States for the year 1861, copied below.

Blank forms for such reports will be issued from this office to the volunteers in anticipation of an occasion to use them, and the militia will be supplied when they are called out.

Whenever any detachment, battery or company is serving separately, or has not been attached permanently or temporarily to any regiment or battalion with which it is then serving, its morning reports will be forwarded promptly and regularly to these head-quarters.

By order :

CHAS. W. HILL,
Adjt.-Gen. of Ohio.

ARMY REGULATIONS.

PARAGRAPH No. 236.—The morning reports of companies, signed by the Captains and First Sergeants, will be handed to the Adjutant before eight o'clock in the morning, and be consolidated by the Adjutant within the next hour, for the information of the Colonel; and if the consolidation is to be sent to higher authority, it will be signed by the Colonel and the Adjutant.

GENERAL HEAD QUARTERS, STATE OF OHIO,
 ADJUTANT-GENERAL'S OFFICE,
Columbus, O., June 9, 1863.

GENERAL ORDERS, }

No. 15. } The following forms are prescribed for the use of commandants of regiments, battalions and companies respectively, in making their annual reports and returns to these head-quarters.

Blank forms for use of all volunteer organizations will be sent to the several commandants, and whenever brigades or divisions are formed, or any smaller force is called into the service, all necessary blanks will be furnished from this office.

By order :

ROBERT HUME,
Assistant Adjt.-General of Ohio.

Blank forms, prepared expressly for them, will be furnished to all volunteer companies and batteries, direct from the Adjutant-General's Office.

Annual Report and Return of Captain _____ Company _____ Ohio Militia.

LOCATION.	WHOLE STRENGTH LIABLE TO DUTY.							Number of musters held during the year.	NUMBER PRESENT AT EACH MUSTER.				NUMBER ABSENT AT EACH MUSTER.				Number paid commutation.	Number fined.	REMARKS.
	Captain.	1st Lieutenant.	2d Lieutenant.	Sergeants.	Corporals.	Musicians.	Privates.		Commissioned Officers.	Non-comm'd Officers.	Musicians.	Privates.	Commissioned Officers.	Non-comm'd Officers.	Musicians.	Privates.			
1st Muster (date)									Commissioned Officers.	Non-comm'd Officers.	Musicians.	Privates.	Commissioned Officers.	Non-comm'd Officers.	Musicians.	Privates.			
2d Muster (date)									Commissioned Officers.	Non-comm'd Officers.	Musicians.	Privates.	Commissioned Officers.	Non-comm'd Officers.	Musicians.	Privates.			

Dated this _____ day of _____ 186—.

I certify, on honor, that the above is a correct report of the company under my command.

1st Sergeant.

Captain.

[illegible]

Dated this _____ day of _____ 186--.

I certify, on honor, that the above is a correct report of the regiment under my command.

Adjutant.

Commanding Regiment.

I N D E X.

ACCOUNTS—	PAGE
what paid on certificate of quartermaster-general, Sec. 61	16
ACCOUNTING OFFICERS—	
to give bond and report as governor directs, Sec. 1	21
ACCOUTREMENTS—	
how taken care of, Order No. 11	27, 28, 29
ADJUTANT-GENERAL (See Order 8, page 2)—	
to file copy of enrollment in his office, and report to War Department, 1st January, Sec. 3	3
to letter each company, and number each regiment or battalion, &c., Sec. 8	6
to perform the duties of assessor or other officers, if neglected, Sec. 9 ..	6
to number the companies of cavalry and infantry, and batteries of artil- lery, how, Sec. 17	7
to keep a record of such numbering, Sec. 17	7
to preserve returns made by commandants of companies, &c., Sec. 20 ..	8
to give certificates of discharge and exemption, Sec. 21	8
is inspector-general for officers' muster, Sec. 53	14
to issue order prescribing lessons, Sec. 67	17
to furnish blank forms, Sec. 72	18
to keep records and papers, and make annual reports, Sec. 72	18
commandant in case of riot, &c., to report to, Order No. 12	29
appointments and changes of non-commissioned officers to be reported to, Order 13	34
ADJUTANTS—	
one to each regiment and battalion, Sec. 10	6
make records and obey orders, Sec. 72	18
when absent, another officer detailed, Sec. 71	18
AID TO COMMANDER-IN-CHIEF (See Order No. 8, p 2)—	
is engineer-in-chief, and judge-advocate-general, Sec. 53	14
AID TO CIVIL AUTHORITIES—	
see Secs. 44, 45	13
see Sec. 49	14
as to public securities, Sec. 3	19
instructions, Order No. 12	29, 30
AMMUNITION—	
how furnished, Sec. 45	13
how used, 8th	28
how kept, 14th, 15th	29

ARMS—	PAGE
in control of quartermaster general, Sec. 61.....	16
how kept, Sec. 61, p. 16, and 3 to 10.....	27, 28
by whom furnished, Sec. 61.....	16
penalty for disposing of, Sec. 62.....	16
penalty for detaining, secreting, or other unlawful disposition of, Sec. 62	16
governor to furnish volunteers, Sec. 62.....	16
use or interference, Sec. 63.....	16
field pieces, how kept, 12th.....	28
ARRESTS—	
who to cause, Secs. 39-42.....	12
in what manner made, Secs. 39-42.....	12
for what cause, Secs. 39-42.....	12
ARSENAL AND ARMORIES—	
penalty for willfully injuring, Sec. 62.....	16
breaking and entering, Sec. 74.....	18
ARTILLERY—	
how organized, Sec. 14.....	7
care of, 12th.....	28
ASSESSORS—	
township and ward, to enroll militia, Sec. 3.....	3
pay of, Sec. 3.....	4
penalty for neglect of duty, Sec. 9.....	6
see explanations of statutes.....	22
AUDITOR OF STATE—	
to order enrollment, Sec. 2.....	3
AUDITOR OF COUNTY—	
to execute order of auditor of state, Sec. 3.....	3
to make annual returns to adjutant-general, Sec. 3.....	3
to draw order for subsistence, Sec. 69.....	17
BATTERIES—	
how organized, Sec. 14.....	7
may be consolidated, Sec. 15.....	7
election after consolidation, Sec. 15.....	7
may adopt by laws, Sec. 18.....	7
care of field pieces, 12th.....	28
BANDS—	
how formed, Sec. 65.....	16
BRIGADES—	
of what formed, and how, Sec. 50.....	14
election in such cases, Sec. 50.....	14
BONDS—	
by whom given, Sec. 66.....	16
amount of, Order No. 10.....	26
form of, for arms and other property, Order No. 10.....	26
CAMP EQUIPAGE—	
governor to provide, Sec. 64.....	16
table of, with prices.....	31, 32, 33

CLERKS—

	PAGE
city or township, their duties, Sec. 4.....	4
see explanation of statutes.....	22

CLOTHING—

table of articles and prices.....	31, 32, 33
-----------------------------------	------------

COMMANDANTS—

of company, to enroll men, Sec. 3.....	4
to hear claims for exemption, when, Sec. 4.....	4
regimental, battalion, and company, to appoint non-commissioned officers, Sec. 11.....	6
to make returns to adjutant-general, when, Sec. 19.....	8
of company, call meetings to assess fines, Sec. 31.....	10
of company, constitute court of inquiry, Sec. 35.....	11
call out troops in case of riot, &c., Sec. 45.....	13
instructions in such cases, Order 12.....	29
to give bond, Order 10.....	21
see to care of arms, &c, Order 11.....	27
to make returns, Order 12—11th.....	30
to make morning reports, Order No. 14.....	34

COMPANIES—

of militia, strength, and how organized, Sec. 5.....	5
to be lettered, Sec. 8.....	6
to be numbered, Sec. 17.....	7
by whom organized and consolidated, Sec. 13.....	6
may adopt by-laws, Sec. 18.....	7
in case of neglect to elect officers in militia or volunteers, Sec. 26.....	9
when new companies may be set off, Sec. 27.....	9
election in such cases, Sec. 27.....	9
to muster, when, Sec. 28.....	9
rank of, Sec. 28.....	10
existing companies saved, when, Sec. 34.....	11
but must comply with Order 9.....	25
number of musters.....	23

COMMANDER-IN-CHIEF—

may organize new regiments, Sec. 12.....	6
may organize new companies, &c., Sec. 14.....	6
may prescribe rules and regulations, Sec. 14.....	7
may order courts-martial, Sec. 39.....	12
may call out militia, when, Sec. 49.....	14
staff of, Sec. 53.....	14
may organize subsistence department, Sec. 55.....	15
may appoint assistant commissaries, &c., Sec. 55.....	15
may organize medical department, Sec. 56.....	15
to appoint medical board, Sec. 57.....	15
to provide camp equipage, Sec. 64.....	16
to select commandant and instructor, Sec. 67.....	17
may order non-commissioned officer to officer muster, Sec. 67.....	17
may call in arms from companies, Order 10.....	26

COMMISSARY-GENERAL—

quartermaster-general is, Secs. 53-55.....	14, 15
--	--------

COMMISSIONS—

PAGE

when to issue, Sec. 25.....	9
of major and brigadier-generals and staff, when they expire, Sec. 51..	14
all others expire in five years, except staff of commander-in-chief, Sec. 59	15
rank retained, Sec. 59.....	15
removal vacates, Sec. 59.....	15
staff officers removable at pleasure, Sec. 59.....	15

CONSOLIDATION—

by whom made, Secs. 12, 13, 15.....	6, 7
-------------------------------------	------

CONSTITUTION AND BY-LAWS—

of volunteer companies, Sec. 18.....	7
--------------------------------------	---

COSTS—

how paid, Sec. 43.....	13
------------------------	----

COURTS OF INQUIRY—

for independent companies, Sec. 31.....	10
on fines, when to be held, Sec. 36.....	11
its proceedings, Sec. 36.....	11
notice, by whom given, Sec. 36.....	11
new trial, when and how, Sec. 36.....	11
pay of members, Sec. 37.....	11

COURTS-MARTIAL—

by whom ordered, Sec. 40.....	12
proceedings, how conducted, Sec. 39.....	12
subpcenas from, Sec. 40.....	12
provost marshal's fees, Sec. 40.....	12
witness fees at, Sec. 40.....	12

COUNTY TREASURER—

to receive and disburse military fund, Sec. 3.....	4
commutation fee paid to, Sec. 33.....	10
allowance to volunteer companies and batteries paid by, Sec. 34.....	10
fines collected by officers paid to, Sec. 38.....	12
tees of provost marshals and witnesses paid by, Sec. 40....	12
surplus fines a trust fund in his hands, Sec. 48.....	13
to keep separate accounts, Sec. 48.....	14
his voucher, Sec. 48.....	14
to pay for rations out of military fund, Sec. 69.....	17

DIVISIONS—

how organized, and duration, Sec. 50.....	14
---	----

DRUMS—

how marked, Order 11.....	28
---------------------------	----

ELECTION—

of company officers, Secs. 5-22.....	5-8
where held, Sec. 5.....	5
notice of, how given, Sec. 5.....	5
when held, Sec. 6.....	5
how conducted, Sec. 6.....	5
tie, how decided, Sec. 6.....	5
poll-book—return, Sec. 6.....	5
oath of judges and clerks, Sec. 7.....	5

ELECTION—Continued.*regimental and battalion :*

PAGE

who shall order first election, Sec. 8.....	6
grade of officers, Sec. 8.....	6
notice of, how given, Sec. 8.....	6
returns, to whom made, Sec. 8.....	6
time allowed to contest, Sec. 8.....	6
in case of consolidation, Sec. 13.....	6
manner of contesting, Sec. 24.....	9
duties of sheriff in contest, Sec. 24.....	9
in case of neglect to elect officers, Sec. 26.....	9

brigade and division officers :

their election, Sec. 50..	14
in case of resignation, Sec. 22.....	8

ENROLLMENT OF MILITIA—

who shall be enrolled, Sec. 1.....	3
by whom enrolled, Sec. 3.....	3
return, how made, Sec. 3.....	3
duty of county auditor, Sec. 3....	3
when volunteers may be enrolled in militia, Sec. 16.....	7

FEES—

of provost marshals and witnesses, Sec. 40.....	12
---	----

FINES—

for refusal to give information to enrolling officer, Sec. 3....	4
for refusal to attend muster, Sec. 30.....	10
when to be assessed, Sec. 31.....	10
how collected, Sec. 31.....	10
of officers and men per day, Sec. 32.....	10
of men at regimental or battalion muster, Sec. 32.....	10
report of, Sec. 32.....	10
commutation in time, avoid, Sec. 33.....	10, 23
for ordering muster on election day, Sec. 35.....	11
court of inquiry on, Sec. 36.....	11
how collected, and for whose benefit, Sec. 38.....	11
by whom collected, Sec. 38.....	12
of field officers, Sec. 41.....	12
of company officers, Sec. 41.....	12
of non-commissioned officers, musicians, and privates, Sec. 41.....	12
for molesting officer or man on duty, Sec. 42.....	13
against miners, parents and guardians liable for, Sec. 43.....	13
against commandant for refusing to call out his force, Sec. 44.....	13
of non-commissioned officer and others, for not turning out, Sec. 44...	13
a lien on property until paid, Sec. 47.....	13
surplus, a trust fund, Sec. 48.....	13
how drawn and expended, Sec. 48.....	14
for refusal to attend muster, Sec. 70.....	18
for selling or offering intoxicating liquor, within two miles of an encampment, Secs. 1-2.....	19, 20

FIREMEN—

not exempt.....	22
-----------------	----

GARRISON EQUIPAGE—

governor to furnish, Sec. 64.....	16
table of articles and prices.....	31, 32, 33

HAVERSACKS—	PAGE
how marked, Order 11, 10th.....	28
INSPECTOR-GENERAL—	
adjutant-general is, Sec. 53.....	14
KNAPSACKS—	
to be painted black, 10th.....	28
how to be marked, 10th.....	28
MEDICAL DEPARTMENT—	
governor may organize, Sec. 56.....	15
pay and rank of surgeon-general, Sec. 56.....	15
medical board, how appointed, Sec. 57.....	15
surgeons to pass examination, Sec. 57.....	15
pay of examiners, Sec. 57.....	15
MILEAGE—	
witnesses to have, Sec. 40.....	12
examining board to have, Sec. 57.....	15
MILITARY FUND—	
how provided, Sec. 3.....	4
who entitled to receive it, Sec. 34.....	10
for what expended, Sec. 48.....	14
“ “ “ 65.....	16
pays for subsistence, Sec. 69.....	17
MILITIA—	
who to be enrolled, Sec. 1.....	3
how “ “ “ 3.....	3
pay in case of riot, Sec. 46.....	13
may be called into service, when, Sec. 49.....	14
commander-in-chief may call out militia, Sec. 49.....	14
when deemed a deserter, Sec. 49.....	14
volunteer called first, Sec. 49.....	14
by what law governed, Sec. 49.....	14
pay when in active service, Sec. 52.....	14
MORNING REPORTS—	
commandants must make, Order 14.....	35
MUSICIANS—	
appointed by c mmandants, Sec. 11.....	6
detailed for each arm at officer muster, Sec. 67.....	17
MUSICAL INSTRUMENTS—	
allowance for, Sec. 65.....	16
MUSTERS—	
when held, Sec. 28.....	9
additional musters by volunteers, Sec. 28.....	10
squadron, battalion, and regimental, Sec. 28.....	10
at what hour, Sec. 29.....	10
fine at company muster, Sec. 30.....	10
who may avoid, and how, Sec. 33.....	10
no muster on election day, Sec. 34.....	11
<i>officers' musters :</i>	
when and where held, Sec. 67.....	16
forces from different counties may be joined, Sec. 67.....	16
how instructed, Sec. 67.....	16

officers' musters—Continued.

	PAGE
commander-in-chief to detail an instructor, Sec. 67.....	17
adjutant-general to issue orders prescribing lessons, Sec. 67.....	17
musicians detailed, Sec. 67.....	17
mode of instruction, Sec. 67.....	17
volunteers to attend two last days, Sec. 67.....	17
transportation for officers' muster, Sec. 68.....	17
time and place to be announced, when, Sec. 69.....	17
quartermaster-general to advertise for subsistence, Sec. 69.....	17
rations, how issued, Sec. 69.....	17
apportioned pro rata to counties, Sec. 69.....	17
how paid for, Sec. 69.....	17
fine for non-attendance, Sec. 70.....	18
number of days of musters of volunteer organizations.....	23

NON-COMMISSIONED OFFICERS—

by whom appointed, Sec. 11.....	6
to be notified of appointment, Order 13.....	34
appointment and changes to be reported, Order 13.....	34
blank warrants for, Order 13.....	34

OATHS—

of judges and clerks, Sec. 7.....	5
who may administer, Sec. 7..	5
of office, Sec. 13.....	8
office vacant if not taken, Sec. 23.....	8

OFFICERS—

regimental, may organize new and consolidate old companies, Sec. 13.	6
of volunteer companies, batteries, &c., make returns to adjutant-general, Sec. 19.....	8
of militia companies, to commandants of regiments or battalions, Sec. 20	8
resignations, Sec. 22.....	8
meet and assess fines, when, Sec. 31.....	10
constitute court of inquiry, Sec. 36.....	11
pay of, as court of inquiry, Sec. 37.....	11
of companies, to collect and pay over fines, Sec. 38.....	12
arrests of, Sec. 39—42.....	12
fines of, Secs. 41, 42, 70.....	12, 13, 18
muster and encampments, when and where held, Sec. 67.....	16
accounting, Sec. 1.....	21

ORDERS, GENERAL—

No. 6. Organizing the different arms of the service.....	25
“ 7. Adopts “Casey’s Infantry Tactics”.....	25
“ 8. Governor’s staff.....	2
“ 9. Organized companies and batteries to report.....	25
“ 10. Commandants to give bonds for arms.....	26
“ 11. Prescribes additional rules and regulations.....	27
1st. Men to be numbered.....	27
2d. Cleanliness of men.....	27
3d. Arms, how placed in armory.....	27
4th. Care of arms.....	27
5th. Belts, how fitted.....	27
6th. Arms not used, how kept.....	27
7th. When not to be kept loaded.....	28
8th. Not to be loaded without orders.....	28

ORDERS, GENERAL— *Continued.*

	PAGE
9th. When to be examined	28
10th. Knapsacks, how painted	28
11th. Drums, how marked	28
12th. Field pieces, how kept	28
13th. Kitchen, when inspected	28
14th. Arm chest, who to keep	29
15th. Blank cartridges, how kept	29
No. 12. <i>Aid of the civil authorities</i>	29
Military forces required to aid	29
1st. Call of military forces reported to governor	29
2d. Also, to adjutant-general	29
3d. Requisition of civil officers, on whom made	29
4th. Who will not be received	29
5th. Orders, by whom given	29
6th. Instructions, to whom given	30
7th. Citizens not to mix with troops	30
8th. Troops to aid in quelling riots, &c.	30
9th. Bayonet, when to be used	30
10th. High firing prohibited	30
11th. Returns, to whom made	30
No. 13. <i>Non-commissioned officers :</i>	
to be notified of appointment	34
all changes of, to be reported	34
blank warrants, for	34
No. 14 Morning reports to be made	34, 35
PAY—	
of officers, when in service, Sec. 46	13
of militia and volunteers, Sec. 49	14
of assistant commissaries, Sec. 55	15
of surgeon-general, Sec. 56	15
of medical examiners, Sec. 57	15
accounts of governor's staff, Sec. 58	15
POLL-BOOKS—	
to whom returned, Sec. 8	6
PROVOST MARSHAL—	
how detailed, Sec. 40	12
his fees, Sec. 40	12
QUARTERMASTER-GENERAL—	
to act as commissary-general, Sec. 55	15
has control of arms, &c., Sec. 61	16
to certify accounts, Sec. 61	16
to furnish transportation, Sec. 68	17
to furnish subsistence, Sec. 69	17
to approve bond for safe keeping and re-delivery of arms, Order 10	26
QUARTERMASTER—	
regimental and battalion, how appointed, Sec. 10	16
RATIONS—	
to be advertised for, Sec 69	17
how provided, Sec. 69	17
same as U. S. army, Sec. 69	17
how issued, Sec. 69	17

RATIONS— <i>Continued.</i>	PAGE
how apportioned, Sec. 69	17
how paid for, Sec. 69	17
REGIMENTS—	
new, how organized, Sec. 12	6
old, how consolidated, Sec. 12	6
REQUISITIONS—	
of sheriff or mayor, on whom made, Sec. 44	13
RESIGNATIONS—	
to whom made, Sec. 22	8
RETURNS AND REPORTS—	
by commandants, 11th, Order 15	30, 35
by whom made, Order 14	34
to whom made, " 14	34
forms of	36, 37
SHERIFFS—	
to collect fines, Sec. 3... ..	4
first to organize regiments or battalions, Sec. 8	5
to order first elections for field officers, Sec. 8.....	6
to transmit returns to adjutant general, Sec. 8.....	6
may call out troops for executions, Sec. 44	13
see Order No. 12	29
STAFF—	
regimental and battalion, Sec. 10	6
of commander-in-chief, Sec. 53	14
rank of, Sec. 53	14
duties of, Sec. 53	14
pay of, Sec. 53	14
STATUTES, LIST OF TITLES—	
to amend the act to abolish public executions	19
to prevent the sale of intoxicating liquors in the vicinity of camps.	19
relating to sutlers and military storekeepers.....	20
relating to the bonds of certain officers.....	21
<i>explanations of :</i>	
firemen not exempt from military duty	22
enlistment rolls of wards to be deposited with city clerk.....	22
the words " township trustees," mean trustees of any election district..	22
clerks of cities and townships requested to give notice to township and ward trustees.....	22
the volunteers two days' muster, in Sec. 67, is in addition to the three days's muster in Sec. 28	23
volunteers, under Sec. 18 and by-laws, may provide for additional musters	23
the fine for non-attendance at officers' muster will be assessed under Sec. 30.....	23
commutation of fines, Sec. 33.....	10, 23
SUBSISTENCE DEPARTMENT—	
governor may organize, Sec. 55.....	15
pay of, Sec. 55	15

SUTLERS—

	PAGE
appointment of, to be approved by the governor, Sec. 1	20
to give bond to the approval of the governor, Sec. 1	20
subject to removal, by whom, Sec. 2	21
liable on their official bonds for abuse of trust, Sec. 2	21

TRUSTEES—

to hear claims for exemption before organization, Sec. 4	4
see explanations of statutes	22
certificates of void, when, Sec. 4	5
to form company districts, Sec. 5	5
to fix place for holding first company election, Sec. 5	5

UNIFORM—

same as that of U. S. army, Sec. 60	15
time allowed to uniform, Sec. 60	15
table of articles and prices	31, 32, 33

VOLUNTEERS—

may be consolidated or mustered out, Sec. 15	7
when to be enrolled in the militia, Sec. 16	7
how companies designated, Sec. 17	7
rank of companies or batteries, Sec. 17 ..	7
companies and batteries may adopt by-laws, Sec. 17	7
term of service, Sec. 21	8

WITNESSES—

attendance of, how enforced, Sec. 40	12
their fees, Sec. 40	12

